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COUNCIL JOURNAL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF NEBRASKA.

NINTH SESSION.

BEGUN AND HELD AT OMAHA CITY JANUARY 7, A. D. 1864.

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COUNCIL JOURNAL
OF THE
LEGISLATIVE ASSEMBLY
OF THE
TERRITORY OF NEBRASKA.

COUNCIL CHAMBER,
Thursday, January 7, 1864.

NINTH regular session of the Legislative Assembly of the Territory of Nebraska, met at the City of Omaha, Douglas county, at two o'clock, P. M.

On motion of Mr. Jackson, Hon. O. P. Mason, of Otoe county, was appointed President, *pro tem*.

On motion of T. M. Marquette, Mr. J. W. Hollinshead, was appointed chief clerk, *pro tem*.

Moved, by Mr. Little, that there be a committee on credentials appointed.

Carried.

Moved, by Mr. Little, that a committee of three be appointed by the president, to examine credentials.

Carried.

President appointed Messrs. Little, Marquette and Butler.

Committee retired, examined and reported as follows, to-wit:

The undersigned, committee on credentials, beg leave to report that upon an examination of credentials, the following named individuals

have been duly elected members of the Council and entitled to seats on this floor: T. M. Marquette, J. E. Doom, O. P. Mason, John C. Campbell, David Butler, William A. Little, John R. Porter, John McCormick, E. A. Allen, Frank Welch and A. H. Jackson.

All of which is respectfully submitted.

W. A. LITTLE,
D. BUTLER,
T. M. MARQUETTE.

Moved, by Mr. Little, that as Mr. Fisher, of Nemaha, had forgotten his credentials, that he be received as a member of the council.

Carried.

On motion, report of committee on credentials was adopted.

Carried.

Moved, by Mr. Little, that a committee of three be appointed to wait upon the Hon. A. S. Paddock, Secretary of the Territory, and request him to administer the oath of office to the members elect.

Carried, and Messrs. Little, Allen and Campbell were appointed.

The committee returned, and reported the secretary present, who thereupon administered the oath.

Moved that the council proceed to permanent organization.

Carried.

Moved, that the vote be taken by *viva voce*.

Carried.

Nominations being now in order,

Messrs. Allen and Marquette were put in nomination for president.

Mr. Allen received nine votes.

Mr. Marquette received two votes.

Mr. Allen having received a majority of all the votes cast, was declared duly elected president.

Moved, that the president appoint a committee of three to wait upon Mr. Allen to the chair.

Carried.

Jackson, Fisher and Porter were appointed as such committee.

Nominations for chief clerk were: J. W. Hollinshead and John S. Bowen.

Mr. Hollinshead received eight votes.

Mr. Bowen received three votes.

J. W. Hollinshead having received a majority of all the votes cast, was declared duly elected.

John H. Mann was nominated for assistant clerk.

Mr. Mann having received eleven votes, was declared unanimously elected.

S. A. Lewis and J. R. Smith were put in nomination for sergeant-at-arms.

Mr. Lewis received seven votes.

Mr. Smith received four votes.

S. A. Lewis having received a majority of all the votes cast, was declared duly elected.

Wiley B. Dixon was nominated for door-keeper.

Mr. Dixon having received all the votes cast, was declared unanimously elected.

J. W. Manning, Mr. Downs and Geo. Medlock were nominated for firemen.

Moved, by Mr. Mason, that the firemen be dispensed with.

Ayes and nays called.

Ayes—Fisher, Marquette, Mason, McCormick and Welch—5.

Nayes—Butler, Campbell, Doom, Jackson, Little and Porter—6.

Motion being lost, the vote for firemen called for which resulted in:

First ballot—Manning, four votes; Downs, 3; and Medlock, 4.

No candidate receiving a majority, a second ballot was taken.

Second ballot—J. W. Manning receiving six votes, Downs four and Medlock one.

J. W. Manning having received a majority of all the votes cast, was declared duly elected.

O. F. Ingals and Archie Powell were nominated for page.

Master Ingals received six votes.

Master Powell received five votes.

Master Ingals having received a majority of the votes cast, was elected.

The Reverends Dimick, Kuhn and Lemmon were put in nomination for chaplain.

First ballot Dimick received 5 votes.

Kuhn " 5 "

Lemmon " 1 "

No candidate receiving a majority of the votes cast, a second ballot was taken.

Dimick received 5 votes.

Kuhn " 5 "

Lemmon " 1 "

No candidate receiving a majority, a third ballot was ordered.

Mr. Dimick received 6 votes.

" Kuhn " 5 "

Mr. Dimick having received a majority of all the votes cast, was duly elected.

Moved, that the rules for the government of the eighth session of the council of Nebraska, be adopted as those of the present session.

Carried.

Moved, that a committee of two be appointed to wait upon the secretary of the Territory of Nebraska, and request him to administer the oath of office to all the officers elect.

Marquette and Mason were appointed.

Secretary Paddock appeared and administered the oath of office to the president, chief clerk, assistant-clerk, sergeant-at-arms, door-keeper, fireman and page.

Mr. Little moved that a committee of three be appointed to inform the house that the council is now organized and ready for business.

Carried.

Whereupon, Messrs. Little, Marquette and Butler were appointed.

Mr. Fisher moved that council proceed to draw for seats by numbers.

Carried.

Clerk requested to write numbers.

Members drew the numbers and selected seats.

On motion, a committee of two was appointed from the council to confer with a like committee from the house, to wait upon the Governor and inform him both houses are organized.

Carried.

Mason and Jackson were appointed.

On motion, council adjourned until 10 o'clock, Friday, January 8th, 1864.

J. W. HOLLINSHEAD, *Chief Clerk.*

COUNCIL CHAMBER, N. T.,
Friday, January 8, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by chaplain.

Roll called—Messrs. Clark and Fisher absent.

The proceedings of yesterday read and approved.

The committee which was appointed to inform the house that the council was organized and ready for business, reported through their chairman that they had performed the duty assigned them.

On motion of Mr. Doom, a committee of two was appointed to wait on the secretary and ascertain if any arrangements had been made in reference to postage.

Mr. Doom and Little were appointed a committee for that purpose.

Call of the house ordered.

A committee from the house appeared and informed the council that they were organized and ready for business.

A committee from the house appeared and invited the council to take seats within the bar of the house to hear any communication that His Excellency, Governor Saunders, might have to make to the Legislative Assembly.

On motion of Mr. Campbell, further proceedings under the call, were dispensed with.

On motion of Mr. Marquette, the council proceed to meet with the house for the purpose of hearing any communication the Governor might make.

Whereupon, the council proceeded to the representatives' hall, where the following message from His Excellency, Governor Saunders, was read by E. P. Brewster, Esq., his private secretary:

MESSAGE:

Gentlemen of the Council and House of Representatives:

We have great reason to unite in expressions of gratitude to ALMIGHTY God for the preservation of civil and religious liberty, and for the health and prosperity which we have enjoyed as a people during the two years since you were last in session.

Although the great civil war which then existed, still continues with its original bitterness, and the leaders of this causeless and wicked rebellion have been able to marshal great armies, and to gain temporary successes in battle, and to inaugurate and continue a guerrilla warfare on the unarmed inhabitants of large districts from which their armies have been driven by the Union forces, yet no battles with the rebels have been fought on your soil, and no inroads of grave importance have been made by armed bands for purposes of bloodshed and plunder, and no towns have been sacked or their inhabitants massacred; the pursuits of our people have rarely been interrupted, and life, liberty and property have been comparatively secure. The slight interruptions and disturbances which have occurred, have been promptly settled by the civil or military authorities. The supremacy of the law has been maintained, criminals have been tried, convicted and punished, and justice has been regularly administered in every organized county. The hostile Indians on our frontier have been restrained, and severely punished for their savage barbarities. Your remote settlements have been maintained and defended. Your population has been rapidly increasing, your harvests have been abundant; trade has been prosperous, your markets have been good; honest industry has received a fair reward, and almost uninterrupted peace and plenty have reigned throughout your Territory.

We also have great cause for gratitude to the Ruler of Nations for the success that has attended the National arms. When you were

last in session the rebels claimed all of the slave States and all of the Territories south of Kansas and west to California. But the Union armies have been steadily driving them back from the loyal States and toward the interior from the coast, capturing fortifications and cities, until now the stars and stripes float in triumph over at least two-thirds of the territory then claimed by the insurgents. A few months more of vigorous and persistent efforts on the part of the great armies and navies of the republic, it would seem, will probably be sufficient to wipe out the last vestige of this gigantic rebellion, and establish the supremacy of the Constitution and the laws throughout the whole extent of all the States and Territories of the Union.

OUR SOLDIERS.

In the achievement of these great results, our soldiers and sailors have placed us under a debt of gratitude which it will be difficult for the people to fully repay. The salvation of the country and the preservation of the Government, is due to the unbending courage and perseverance of our armies and navies. It must be a source of profound gratification to you to know that the citizen soldiery of Nebraska, springing to arms from the peaceful pursuits of life at the call of the President, totally unaccustomed to the hardships and deprivations of the weary march and camp life, and of the exposures and dangers of protracted campaigns, have performed their part so nobly in every trial of endurance or courage. A Nebraska soldier, whether called on by his country to confront the wily savage on the frontier, or the rebel hosts in battle array, has never shrunk from duty, quailed before dangers, or turned his back on the foe.

Should you, therefore, deem it proper, as the supreme law-making power of the Territory, to make any expression of sympathy and approval, by making provisions for their comfort in the field—especially, for the welfare of the sick and wounded—or for the comfort of their families at home—more particularly for the widow and orphans of those who have fallen in their country's defense, it will meet my hearty approval. I would respectfully suggest, also that you should carefully inquire whether there are not other interests dear to the patriot soldier's heart of more consequence to him than food and raiment, which demand your grave consideration. These brave men are citizens of the republic, and of the Territory of Nebraska; they have been accustomed to participate in managing the affairs of their respective townships, counties, and Territory,—they have been accustomed to aid by their voice, vote and influence in the selection of their rulers, and indirectly, in making the laws under which they live. The patriotic services in which they are engaged does not diminish the interest they feel in the welfare of the people at home, the character of the laws under which their families are to be protected and their property held, or the character of the officers by whom these laws are to be enforced. It cannot be pretended that they do not feel as deep an interest in the preservation of our free institutions, for which they are sacrificing their ease and comfort and health, and exposing their

lives, as those who remain at home. I cannot, therefore, perceive any good reason for depriving them of their civil rights, while they are laboring and toiling and fighting to crush this wicked and unprovoked rebellion. They should be permitted, as far as possible, to enjoy all the rights of citizens; and especially that inestimable birth-right of American freemen—the right to vote. I respectfully suggest that I cannot perceive any plausible pretext for depriving those of this right, who are fighting for the preservation of the government. I will, therefore, most cheerfully approve any legislation your wisdom may devise for that purpose, of enabling our brave soldiers, when in the military service of the United States, whether in the field, camp or hospital, to exercise this sacred privilege.

I also, respectfully recommend that you make the necessary provisions for keeping a correct record of the names of all who enlist in the military service from this Territory, to be preserved among the public Archives; and that the names of all who are wounded or fall in battle should be inscribed on a Roll of Honor, to be carefully preserved for the inspection of future generations.

I also suggest that justice to this class of our fellow-citizens, seems to me, to require a monument should be erected at the Capital, on which to inscribe the name, and preserve the memory of all from this Territory who have fallen in their country's service since this rebellion commenced, or who may fall during its continuance. Such a monument might contain, in connection with each name, the date and place of the soldier's death, and the names of the battles in which he may have participated. This, it appears to me, would be but simple justice to the memory of our honored dead. And such a mark of respect from the legislature of the Territory, would not be without influence on the character of the living. The history of the world has proven that every great people of ancient and modern times, have been generous in the bestowal of honors on the memory of its fallen heroes.

HOMESTEAD.

Among the many beneficent acts of legislation, passed by the congress of the United States since your last session, may be mentioned the "Homestead Bill." You had repeatedly memorialized congress on this subject without avail. In fact, its success, though so just to the settler and so wise as a measure of national policy, seemed hopeless, while the reins of government were held by such men as controlled the administration, preceding the inauguration of our present Chief Magistrate. The honor of the prompt passage of this great measure is due to President Lincoln and his political friends in congress. I deem it but just that we who are so deeply interested in, and so largely benefited by the success of this measure, should obey the injunction of the sacred writer by rendering "honor to those to whom honor is due."

This law provides, "that any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention

to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States government, or given aid and comfort to its enemies:" And further, "that no person who has served or may hereafter serve for a period of not less than fourteen days in the army or navy of the United States, either regular or volunteer, under the laws thereof, during the existence of a natural war, domestic or foreign, shall be deprived of the benefits of this act, on account of not having attained the age of twenty-one years." All such persons are entitled to enter a quarter section, or one hundred and sixty acres of land, at a cost of ten dollars, in addition to the fees of the register and receiver; a sum not more than sufficient to pay for the survey of the land and making out the requisite maps, plats and records necessary to secure a perfect title. When it shall be known to the laboring people of the old States and populous countries in the old world, what a vast expanse of fertile lands lie open in this Territory, for occupancy under this law, many thousands of industrious people will doubtless hasten, from year to year, to avail themselves of its advantages, thus increasing our population, and by the application of their means and industry, augment our wealth, and aid in the development of our vast natural resources.

What a blessing this wise and humane legislation will bring to many a poor, but honest and industrious family. Its benefits can never be estimated in dollars and cents. The very thought, to such people, that they can now have a tract of land that they can call their own, has a soul-inspiring effect upon them, and makes them feel thankful that their lots have been cast under a government that is so liberal to its people.

PACIFIC RAILWAY.

In accordance with your memorial on the subject, congress also passed a bill, at the first regular session after the inauguration of the present administration, providing for the construction of the Great Pacific Railway, commencing on the 100th meridian, within the Territory of Nebraska, thence westwardly to the Pacific coast, with three branches from the place of beginning eastward to the Missouri river. One of these branch roads diverges southeasterly to the mouth of the Kansas river, in the State of Kansas, and also forming a connection with the Hannibal & St. Joseph Railroad at Atchison; and the other two branches, so called, stretch across our Territory—one terminating at the Capital of your Territory, and the other opposite Sioux City—thus forming a connection at all three points with some of the best roads of the Northwest. With these magnificent works successfully prosecuted, connecting directly with the great cities of the Atlantic and Pacific, with the advantages of the Homestead, of a virgin and fertile soil, of exhaustless salt springs, with a climate as salubrious as exists in the world—none can hesitate to predict for Nebraska, gigantic strides in the attainment of wealth and power. Indeed, there seems to be but one thing lacking to make this system complete, and give Nebraska all she could reasonably ask—and that is, another

branch of the Pacific Railway from some suitable point for an eastern connection on the Missouri and south of the Platte river. Such a branch would pass through a rich and fertile country, and would accommodate a very large district of our present and future population. Should you deem it advisable to memorialize congress to make an amendment to the Pacific Railway bill to this effect, it will meet my hearty co-operation and approval.

The present session will be a very proper time for you to pass such laws as may be necessary to provide for organizing and regulating railroad companies, and granting such rights as you may think proper in order to facilitate the building of roads through the Territory. But whatever acts you pass upon this question, I would advise that they be of a general, and not a special character; that is, that all laws for the formation of such corporations, and for regulating and perpetuating the same, be general in their operations and bearing. I am opposed to special legislation—to the granting of special privileges, when general laws can be as effectual, and I am sure that granting corporate privileges, such as are here recommended, a general act can be made just as acceptable and equitable as a special one.

GEOLOGICAL SURVEY.

At your last session I called your attention to the importance of an early Geological survey of our Territory, and recommended that you press the subject on the attention of congress for the purpose, if possible, of procuring an appropriation for this purpose. I still believe this subject worthy of your serious consideration. Since your last meeting, one or two good veins of stone coal have been discovered in the Territory; and I doubt not if a good scientific geologist could be employed for a few months, that many other valuable discoveries might be made. And why not? For in those countries where geological surveys have been made, both east, south and west of us, the outlay has been abundantly repaid by the finding of treasures which were entirely hid from the casual observer.

If you should again memorialize congress on this subject without success, I would most cheerfully unite with you in devising means to raise a Territorial fund with which to prosecute this work. If such expenditures had not proved so profitable to some of our neighboring States, and that, too, in many places where the land appeared no more promising for such deposits than much of our Territory does, I would not feel so anxious about the subject.

I would like, also, to see a thorough examination made of our saline lands; for who knows but those salt fountains underlie a large part of Southern Nebraska, and that by the sinking of a few shafts an abundance of water may be found much nearer the Missouri and Platte rivers than it has been hitherto found. In my opinion, there is a rich treasure for the future State of Nebraska hid in those salt fountains, and the sooner we lay the foundation for making them available, the better it will be for our people.

FINANCES.

I take great pleasure in alluding to the improved financial condition of the Territory. From the reports of the auditor, you will find that the public debt is now, including the interest due on the outstanding bonds and warrants, up to the 1st of January, 1864, fifty-nine thousand eight hundred and ninety-three dollars, (\$59,893.00,) and that the resources which are to apply on this, amounts to forty-one thousand eight hundred and twenty-nine dollars and fifty-nine cents, (\$41,829.59,) leaving a balance unprovided for of eighteen thousand sixty-three dollars and forty-one cents, (\$18,063.41.) According to the statement made by the territorial auditor at your last session, the debt of the Territory, over and above all resources, was thirty-seven thousand two hundred and twenty-six dollars and twenty-three cents, (\$37,226.23,) showing that the amount of the debt, over the resources, is now less by nineteen thousand one hundred and sixty-two dollars and eighty-two cents, (\$19,162.82,) than it was two years ago. And another favorable feature of the case, is that the largest part of the outstanding debt has been bonded, and consequently the interest hereafter to be paid on these bonds will be but seven per cent. per annum, instead of ten per cent. as heretofore paid.

I would respectfully call your attention to the valuable recommendations of the territorial treasurer in his annual report, herewith submitted. From that report you will discover that he has received from all sources, from January 1st, 1862, to November 30th, 1863, \$25,820.74; and has expended during that time, \$20,455.26; leaving a balance in hands of treasurer of \$5,375.48, which sum will be used in paying interest on the outstanding debt, and lessening the debt of the Territory.

By reference to the report made by the territorial auditor at your last session, it will be seen that he very much underrated the amount of interest then due on outstanding warrants, and also that the interest due on the 4,000 bonds given out in 1856, was not noticed in his statement. So, had these amounts been stated in full at that time, it would have shown a larger amount of debt unprovided for than was reported, and would, consequently, make our present financial condition, relatively speaking, much more favorable than it even is.

Two years ago the territorial warrants met with a dull sale at from 33 to 40 cents on the dollar. Now they are in brisk demand at from 80 to 90 cents. And it is confidently believed that under the present economical management of your affairs, they will soon sell at par. This desirable result may be hastened by prudent forecast on your part as legislators. I need hardly commend the subject to your careful consideration. It is a subject of deep interest to every citizen. With the warrants of the Territory at par, its necessary purchases and contracts can be made at the lowest figures; this will, of course, diminish the aggregate of expenditures, and thus lighten the burden of taxation.

As I said to you in my last annual Message, since the salaries of all the Federal officers in the Territory are paid by the National Govern-

ment, including per diem, mileage and expenses of the Legislature, the territorial tax ought to be very small. And there is no good reason for the existence of a territorial debt—the Legislature at each session ought to provide the means for the payment of all necessary expenditures not covered by Federal appropriations.

CONTRACTS AND APPROPRIATIONS.

As one of the means for the attainment of the end proposed, I would again urge upon you the propriety of passing at each session of the legislature an *appropriation bill*. You should, in my opinion, prohibit by law, with such penalties as may seem to you just and proper, the issuing of any binding contracts, on the part of the Auditor, or of the payment of money from the treasury not specially appropriated by law of the territorial legislature or of Congress. So necessary is this considered for the public welfare, that it is guarded by the Constitution of the United States and the Constitution of every State, probably, in the Union. "No money shall be paid from the treasury without an appropriation made by law," should be made an inflexible rule for the government of the Territorial officers, as well as those of the States and Nation. If this is not considered unimportant by those who frame constitutions for sovereign States, and for a great Nation, if, in the administration of their affairs, this is deemed necessary to secure economy and fidelity in handling the public treasure, can it be less important to the welfare of a young and comparatively feeble territory? If grave senators and representatives in the Congress of the United States sit, for days and weeks, conning over the propriety of the expenditure of every dollar proposed by the heads of Departments, before authorizing its payment by the treasurer of the United States, it is hoped it will not be considered a trivial business by the legislature of our territory. I make these suggestions at this time the more freely, because they cannot have any personal application; for it is believed that the present financial officers of the territory are above suspicion—that the strictest economy and fidelity characterize their management of the affairs of their offices—indeed, the auditor himself makes the same recommendation. But I speak of the principle, as of sufficient gravity to engage your careful attention. By adopting this course, you will set bounds and limits to the discretion of the territorial auditor, which will be a great relief to him; while it will enable you to approximate very nearly the amount of money necessary to be expended during the next succeeding fiscal year, and thus enable you to arrive at the amount of taxation necessary, from year to year, to meet the demands on the treasury.

SCHOOLS.

The future character of the people of Nebraska depends more on the attention paid by her legislature, from year to year, to the subject of common schools, than to all other causes combined. The history of the world proves that an educated and virtuous people can never

be enslaved or degraded. Without proper cultivation of the minds and hearts of the masses, no people can become great and powerful. We now have the evidence before our eyes that the uneducated may be deceived, prejudiced and deluded until they will toil and labor, and even fight to support the aristocracy that grinds and crushes them, and to destroy the mildest, freest and most beneficent government on earth. The existing rebellion commenced and rapidly spread over the States of the Union that have been destitute of common schools from the beginning. They have made provision for the education of the wealthy by the establishment of academies and colleges, while the masses are left in ignorance. In the slave states where even an indifferent system of common schools existed, as Missouri and Kentucky, the rebellion has long since been crushed. And in the states where the diffusion of knowledge among the masses was still more general, the rebellion never obtained a footing. In all these States there were as bitter secessionists as could be found in South Carolina or Georgia. But when they preached their treason where school-houses and churches ornament every village and "cross road," it was received with indignant scorn. It is, therefore, fair to conclude that if a good system of common schools had existed from the beginning in the Southern States, this rebellion would never have existed. If it had ever been inaugurated by desperate politicians, it would have been quickly crushed by public opinion where it originated. But as I suggested in my last annual message, it would be a difficult task for you to devise and provide for the adequate support of a good system of common schools, in this Territory, during the continuance of your territorial condition. If admitted as one of the states of the Union, we would come into possession of the 16th and 36th sections, or their equivalent, for every township in the state as rapidly as the Government Surveys are extended, and other grants usually made by Congress to new states, such as university and mineral lands, &c. Out of the sale of these lands we could rapidly accumulate a fund, the interest of which would soon support a good school system, unaided by taxation. But, at present, we must rely entirely on taxation or voluntary subscriptions for the education of our youths. I commend the subject to your earnest consideration, that you may make such amendments to the existing laws on this subject, as you may find necessary to secure to the youths of the Territory all the advantages that it may be in your power to grant.

PROVISION FOR THE INSANE.

It will be impossible for you, for some time to come, to make provision for the proper treatment of the insane in our Territory, by the erection of suitable buildings and the employment of physicians. Fortunately, we are greatly blessed in having but few of this class of persons in our midst. But there are a few. They appeal most strongly to our sympathies for our assistance. It was once believed that insanity was an incurable disease. But this delusion has been dispelled. It is now settled that about ninety per cent. of the cases

of insanity which occur, if taken in proper time, can be permanently cured. In the light of this great truth, no humane, not to say *Christian* community, ought to delay furnishing the means to restore these most unfortunate persons to the enjoyment of reason.

It is believed that temporary arrangements could be made with the neighboring State of Iowa, for the reception and treatment of the few patients of this class now in the Territory, on terms entirely satisfactory to our people. I might remark, also, that the Insane Hospital in that state is reported to be one of the very best in the United States, and under the very best and most successful management. In any action you may deem it wise to take on this subject, I would suggest that in all cases in which the family and friends of the patient are able to do so, they should be required to defray the necessary expenses, and that when they are not able to do so, the expenses should be paid by the Territory, or by the county from which they may be sent.

PENITENTIARY.

Congress has, thus far, failed to make any appropriation for building a Penitentiary for our Territory. We greatly need an institution of this kind, although the number of criminals is, probably, not greater among us than in other communities of the same population, yet the security of life and property, and the good order and well-being of society demand a suitable place for the punishment of criminals, and I would recommend that you again urgently memorialize Congress to make an appropriation for this purpose.

REWARDS FOR THE ARREST OF CRIMINALS.

During the past summer, a most foul and atrocious murder was committed within the limits of this county. I found no law authorizing me to offer any reward for the apprehension of the murderer, and but few, if any persons, were willing to spend their time and money, without a promise of remuneration. Fearing that if the perpetrators of that crime were allowed to escape and go unpunished, that others might be encouraged to commit similar offenses, I took the responsibility of offering a reward of \$200 for the apprehension and conviction of the murderer or murderers. The perpetrator of the crime was subsequently found, tried, convicted and executed for the offense. I hope this action, on my part, may meet with your approval. If so, it will be necessary for you to legalize my act in the premises, and authorize the issuing of territorial warrants to pay the reward. I would also recommend the passage of a law authorizing the Governor, in such cases as may arise in the future, which, in his judgment, may demand it, to offer a reward for the apprehension of persons charged with the crime of murder. Nothing is so well calculated to prevent a repetition of crime as the speedy arrest and prompt punishment of the offenders. In many cases it will be impossible to bring the offenders to justice, unless extraordinary inducements are held out by the Government, to stimulate persons to encounter the danger and

perform the labor incident to the pursuit and arrest of those of desperate character.

STATE GOVERNMENT.

During the last session of Congress, bills were introduced to authorize the Territories of Nebraska, Colorado and Nevada to organize State Governments, preparatory to their admission into the Union on an equal footing with the original States. These bills would probably have become laws, had they been introduced at an earlier period in the session. As it was, some of them passed the Senate, and only failed in the House, it is said, for the want of time to act upon them. Colorado and Nevada have taken preparatory steps for an early admission. The question will, doubtless, be brought before Congress at the present session. Would it not, therefore, be well for you to make some expression of opinion on this subject; and in considering it, may it not be wise to reflect how far your interest may be affected by the action of your neighboring Territories. If they should apply and be admitted as States, the question would naturally arise in the minds of persons contemplating emigration to any one of the Territories named, "why was not Nebraska admitted also?" Her settlements and territorial organization are older than either of the others. Would they not necessarily draw conclusions disparaging to the character of the population or the extent of your natural resources? You would know that your *permanent* population was larger than that of either of the others, that with you all the elements of civil society are more firmly established, justice more regularly administered, and all your institutions more nearly self-sustaining. But this would not be so fully known abroad. And if they applied and were admitted, and you took no action in the premises, would it not be regarded as a confession, on your part, of inferiority? And would not these facts inevitably retard your future growth?

There are arguments to be used by the people, both for and against an early admission. The principal reason advanced against the Territory taking upon herself the forms and honors of an independent State, is that this step would require increased taxation to defray the expenses of a State government. This is, for a short time, at least, probably true. And this raises the ultimate question, whether the advantages to be derived from an admission as a State, are more than sufficient to balance the disadvantage of the increased burthens. If admitted as a State you would at once come into possession of the 16th and 36th sections of school lands. The possession of these lands would enable you to secure a very large school fund, the interest on which, it is believed, would, if properly managed, enable you to support a good system of common schools; thus lightening the burthens of the people nearly or quite as much on the one hand than they would be increased on the other. You would also receive the usual quantity of university lands, which would enable you to build up that very desirable institution. You would probably receive the usual donation of Salt Spring lands, to be located by an agent of the State. If properly

located, it is believed that these lands might be made the source of no inconsiderable revenue to the new State. You would also be entitled to the 5 per cent. of the net proceeds of the sales of all public lands sold by the United States prior or subsequent to the admission of the State.

You would also be entitled to 500,000 acres of land to aid in works of internal improvement, and might fairly expect grants of land to aid in the construction of railroads and in the improvement of your great river; and appropriations of money, or land, to aid you in the erection of public buildings and a penitentiary. With these suggestions, I commend the whole subject to your careful and deliberate consideration, believing that the direct representatives of the people will not be likely to arrive at an unsafe or unwise conclusion. Should you, however, conclude to favor an early admission as a State, it will be proper for you to make expression of the same at an early day in the session, so that Congress could act on our case while she is legislating for the other Territories.

APPORTIONMENT.

Several years have now elapsed since any apportionment has been made for members of the territorial legislature; and as our population has greatly increased in that time, particularly in a few counties, it will, I think, be proper for you to attend to that duty at your present session. Frequent apportionments are more necessary in a new and growing country than they are in the older settled portions of the country where there are less changes in the population. The importance of doing equal and exact justice to all in this particular, is so apparent to each of you, that I deem it unnecessary for me to urge it upon you.

CODIFICATION AND REVISION OF THE LAWS.

There seems to be a very general desire on the part of the citizens of the Territory to have a general revision and codification of our laws, and to have all the laws that are now in force in the Territory, together with all that may be passed at your session, bound in one volume. The present laws are made up from acts that extend through the whole of the eight sessions that have been held in the Territory, and so many amendments and alterations to our laws have been made during that time that it is with great difficulty that persons who are not professionally engaged in the business can find out what the existing laws are. The people, for whom you legislate, are required to obey the laws that you pass, and are presumed to understand them. You cannot, therefore, be surprised at their anxiety to have the laws so published as that they may be able to find and understand them.

And there is other good and valid reasons for recommending this to you, and that is that no copies of the laws passed at some of the sessions are now to be had at any price. Either these laws should be re-

published, or the whole should be condensed into one volume, and by that means all could come into possession of them.

If you should find that the expense of printing and binding the code could not be paid out of the ordinary legislative fund, I would recommend that you memorialize Congress to appropriate a sufficient sum to pay the same. We should have no hesitancy in asking the parent Government to do this act of justice to her children.

TERRITORIAL LIBRARY.

Our Territorial Library has only been increased, since your last meeting, by the receipt of the exchanges from the States and other Territories, and from sundry books that were donated to the Territory by Congress. The balance of the fund (\$34.90) which was left unexpended by my predecessor, has been used in paying express charges on books donated by Congress. These donations were made upon the express condition that the General Government should be at no expense for transportation. There are now other books, from the same source, ready for delivery, and it will be your duty, in case you accept them, to provide the means to pay the freight on the same, and on such others as may be forwarded to us under the same law of Congress.

TERRITORIAL MILITIA.

I feel it my duty to again call your attention to the want of an efficient Militia law. Under the present law we find it very difficult to properly organize the militia, and much more difficult still to perpetuate the organization after it is made. It is certainly of the utmost importance to a new country—especially one bordering, as ours does, on the frontier—to be supplied with a good and efficient military organization. True, Nebraska has had no particular calls made for the services of her militia lately; nothing, however, but the liberality of the General Government in supplying our wants with Government troops has prevented it. These troops are liable at any time to be called away from us, and in that event, we would again be thrown on our own resources for the protection of our frontier inhabitants, and our own families and firesides.

The Congress of the United States has, so far, failed to make any appropriation for the erection of an armory in our Territory; and unless you can get assistance from that quarter, I would advise that some room, either in the capitol building or some other that would be suitable, be fitted up in an economical manner to be used as a temporary armory, and that it be made the especial duty of some person to take charge of the same, and for whom a small compensation should be provided.

The Adjutant General's office was created at a time when there was but little labor to perform, and consequently no compensation was provided for. But since the commencement of the war, the labors of that office have been greatly increased. I therefore recommend that

you provide such compensation for that officer, as you think just and right. This officer is made the custodian of all the records left of our troops in the field, and the importance of the office cannot be over-estimated.

OUR DUTY TO SUPPORT THE FEDERAL GOVERNMENT.

Your deliberations, I apprehend, must be effected to a greater or less extent by the condition of the country. The gigantic rebellion, which has convulsed the nation from centre to circumference, for more than two years, although waning, still exists in great strength. The nation is taxing all its resources in men and means, and making steady persistent and gigantic efforts to suppress it at as early a day as possible, and at the least possible cost of blood and treasure. It is impossible, in the very nature of things, that you should be indifferent spectators. We are a part of this great nation thus struggling for its very existence. We also inherit the free institutions which the nation is trying to perpetuate. If the Union should be dissolved, if these institutions should be overturned, we would be involved in the general anarchy, misrule and chaos that would follow. We can never hope for permanent peace, and prosperity, and future greatness as a people, except as a part of the United States. This seems to be the solemn conviction of the people in every part of this great country.

I have an abiding faith in the perpetuity of our Government, and do not doubt our complete triumph. But in the meantime it is our imperative duty to render the Federal Government all the aid in our power—not only by furnishing our quota of men to serve in the field, and by cheerfully paying the Federal taxes levied to defray the necessary expenses of the war, but also by giving the Government the whole weight of our moral influence.

Even if the proper authorities should adopt measures that we would not have advised, when once settled as a part of the policy of the Government, we should acquiesce, or at least avoid all factious opposition; which can do no possible good, and must do harm, by diminishing our own energies and encouraging the enemies of the country.

The President of the United States is the constitutional head of the nation, and is made the chief head of both the army and navy, and whatever he may direct in regard to suppressing the rebellion, when not palpably unconstitutional, should receive the aid and support of all good citizens, at least until a fair trial can be had of means thus proposed. Designing politicians may attempt to embarrass the Administration, and to clog the wheels of Government; but the good and true loyalist should stand by the Government in every honorable, patriotic, and constitutional effort it may make to sustain and perpetuate the institutions of our country.

Look, if you please, at the efforts put forth by the cunning politicians and traitors of our country, to prejudice the minds of the unwary against the President's proclamation emancipating the slaves in rebellious districts. Thousands throughout the country had their minds thus prejudiced, and for the time being poisoned, against the measure; and yet, that very same measure has, perhaps, done more to give us

strength, both at home and abroad, than any other adopted by the Administration.

The President believed that so far as it tended to induce the slaves to desert from their rebel masters, it diminishes their laboring force on their plantations and fortifications, and to that extent weakens the enemy and makes us relatively stronger, and brings us nearer to our ultimate triumph.

In addition to this, there was well-grounded apprehension of interference by the great powers of Europe, in favor of the rebels. They were becoming jealous of our growing power. They would gladly see us divided and permanently humbled. They saw no difference in principle between the rebels and ourselves, on the great question of humanity. The rebels were fighting for a division of the great Republic. This they desired. We were fighting to prevent a division. If no other question could be developed, it was manifest that, sooner or later, these jealous nations would unite with the rebels, and if possible, secure their triumph. The rebels were proclaiming it all over Europe, that on the subject of slavery there was no difference between them and us: that whether they succeeded, or were defeated, the condition of the African slaves in the South, would remain unchanged. At this stage of the controversy, the President issued his proclamation, declaring that if the rebels did not lay down their arms in the course of the next succeeding one hundred days, he would, as Commander-in-Chief of the armies and navies of the Republic, declare all their slaves to be free. They did not heed his warning—did not lay down their arms, and the proclamation was issued. The effect on the masses of the people of the old world has been magical. They then saw that the Northern States, arrayed on the side of humanity, and the rebels fighting to perpetuate the hated bondage of four millions of people. The great heart of the nations throbbed with new pulsations, and the masses of the old world commenced surging like the waters of the mighty ocean, in favor of the Union; and their Sovereigns began, one after another, to array themselves on the side of the Union. And so decided now, is the feeling in Europe in favor of the Federal Government, that the rebels themselves have lost all hope of relief from that quarter. It could not possibly do us any harm in Nebraska and in the loyal States; its natural tendency would be to weaken the rebellion and strengthen us at home, and it probably saved us from the evils of foreign intervention.

And perhaps we ought not to close our eyes to the fact, while dwelling on this subject, that many of the best and wisest men in the country believe that if the slaves should all be liberated, during the progress of the war, it will be a just retribution on those who originated the rebellion; for there is a universal conviction among all classes, that slavery was, either directly or indirectly, the cause of the war, and that the guilty cause ought to be destroyed; and that without this, no lasting, permanent peace can possibly be secured. I am free to confess that such spontaneous convictions do not usually seize the minds of great masses of intelligent communities without controlling reasons. I would not ADVISE the continuance of the war for a sin-

gle hour longer than may, in practice, be found to be necessary to secure an honorable peace—with a restored Union—and the stars and stripes floating in triumph throughout the entire limits of the Republic. Nor would I protract the war a single hour, nor sacrifice a single life, nor shed an additional drop of patriotic blood to preserve human slavery. If it stands in the way of victory, of peace, of a restored and perpetual Union, let it die the death of the malefactor. Of the necessity of this and kindred measures, the President and the Congress of the nation are the legitimate judges. When they have once decided and shaped the policy of the Administration accordingly, it is not the province of the good citizen to attempt to clog the wheels of Government by worse than useless opposition. We should be ready to approve any and every measure which does not palpably violate the Constitution, calculated to weaken our enemies and strengthen our friends. And if any of these measures, believed by Congress and the President to be necessary to crush the rebellion, should appear to us to be of doubtful constitutionality, we should not too eagerly assume that we are right, and that the President and Congress are wrong; remembering that we have not been constituted a tribunal to pronounce on the constitutionality of the acts of the high officers of the Government; that this is a prerogative of the Supreme Court of the United States, which will, doubtless, in good time perform its duty in this respect. And that it is our duty as good citizens to regard them as binding until set aside by this high tribunal provided by the Constitution, for their careful and impartial examination.

When this opposition to the measures of the Government is made in the interest of the rebels, it is far from being innocent. Who are these people of whose constitutional rights we are exhorted to exercise such tender regard? Are they patriots and philanthropists, who are wearing out their lives, spending their fortunes, and pouring out their blood in defense of the Government, to perpetuate the Union, to ameliorate the condition of oppressed humanity, to lighten the burthens of the toiling millions? Or are they men who have conspired to sever the Union, whose hands are dripping with the blood of the nation's defenders, who are forging chains to bind labor to the chariot-wheels of wealth and power, who have levied war on the stars and stripes—the emblem of our power and glory—and are fighting and toiling to destroy the best Government that ever blessed the world. They are men who have forfeited all right to the protection of the Constitution and laws, and have voluntarily elected to be treated only as public enemies. It is manifest that the only means of securing a permanent peace with such a people, is a vigorous prosecution of the war, until they shall lay down their arms and acknowledge the supremacy of the laws. In this labor let each lend a helping hand, and whether in the army, or in the walks of civil life, perform his whole duty to his country, and the time will not be distant when the bow of peace will span the heavens, when a reviving spirit of unity and fraternity, from North to South, will cheer our hearts, and a restored Union crown our toils.

By the Governor:

ALVIN SAUNDERS.

OMAHA, January 8, 1864.

AUDITOR'S REPORT.

OFFICE OF TERRITORIAL AUDITOR AND SCHOOL COMMISSIONER, }
Omaha, Nebraska Territory, December, 1863. }

To the Honorable Council and House of Representatives of the Territory of Nebraska:

In presenting the annual report of this office, it is a matter of mutual congratulation that we find the financial interests of our Territory in a much more favorable condition than at any period during several years past. Not only has the indebtedness of the Territory been greatly reduced, but the Territorial warrants heretofore issued and yet unpaid, are now very nearly at par, and are becoming scarce in the market. This fact shows a very satisfactory state of things during the past year in the financial affairs of the Territory, and that its material interests have greatly improved. And, in order to secure a still greater decrease of the Territorial debt, place proper safeguards around its finances, and prevent an improper license to the Auditor in the issue of warrants, I would respectfully offer some suggestions for your consideration.

The principle of allowing every officer the unlimited authority to draw warrants on the treasury, as at present is permitted, under the very loose laws authorizing expenditures to be made, is *radically wrong* and should be avoided by the adoption of a system of specific appropriations by legislative enactment.

Although there are numerous acts of the Legislature authorizing expenditures of Territorial funds, yet finding the system, as heretofore practiced, uncertain, and no Appropriation Bill for the current expenses of the Territory, for the payment of contingent or extraordinary expenses, or other specific objects in the administration of the Government, except the salaries of officers, when I entered upon the duties of the office two years past, I at once determined not to assume not only the responsible duties of the office proper, but also of determining what and how much Territorial funds should be appropriated for current expenses, for contingent expenses, and so on, when these are proper subjects for the Legislature to determine by bills of specific appropriation. To say the least, such a system devolves upon the Auditor an authority to legislate an Appropriation Bill in case of each warrant drawn—an authority which should exclusively belong to the Legislature. I pursued the policy above stated until after the period had expired for the Legislature to assemble last winter—not even drawing warrants for the salaries of officers, which had been very clearly provided for by positive

legislative enactment—but the Legislature not having assembled, for reasons well known, and believing I had done my whole duty, I, as well as others whose money was justly due for services rendered, having received no pay whatever for the years then past, I commenced drawing warrants for such services and expenditures, but only such as were clearly authorized by law. A full list of the warrants so drawn and the nature of the expenditures for which they were drawn is herewith presented, amounting in the aggregate to the sum of two thousand nine hundred and sixty-nine dollars and seventy-five cents, including in this sum balances due on salaries of officers prior to the commencement of my term of office, amounting to the sum of five hundred and forty-five dollars. Upon a review of what is already said on this subject, it can hardly be necessary for me to earnestly commend to your consideration the importance and necessity of adopting proper specific Appropriation Bills to meet all the necessary expenditures of the Government, and limit the Auditor to his proper, specific duties. I would further recommend, that such Appropriation Bills contain all the necessary items of expenditures; and I would also respectfully recommend that a special fund be placed to the credit of the Governor, Secretary, and other proper officers, to meet unforeseen and proper expenses—such, for instance, as rewards for the arrest and conviction of criminals, postage and express charges on books sent by States, &c., for the Territorial library, and for all such other extraordinary expenses, which can only be named as they arise. By such a system of appropriation the amount of funds necessary to be raised by taxation to pay the current expenses, and all extraordinary expenses, could be ascertained with some degree of certainty; and I would suggest that as the Territorial warrants are very nearly at par, it would better secure the reduction of the Territorial debt to require all Territorial taxes to be paid in money, and that the excess of taxes above the amount of the appropriations for the year be used in payment of interest and warrants by the Treasurer, not in the order issued, as now required by law, but as they may be presented.

I would also call attention to the fact that much of the revenue levied by the Board of Equalization for the year 1859 has not yet been collected, for the reason, in Otoe County, that the County Commissioners directed the County Clerk of that county to place on the tax-list a Territorial tax of only one-half of one mill, instead of three mills, as directed by the Board of Equalization, and in other counties the Commissioners failed to furnish the Treasurer with the tax duplicate. These deficiencies should be paid, and I suggest whether it would not be proper, by legislative enactment, to require the levy of a special tax in said counties for this purpose.

In several of the counties, school and other Territorial funds have been collected by officers, and either not reported or embezzled; in one of these counties, the loss thus sustained to the school fund amounts to one thousand and six dollars, and in two other counties, in each, to the sum of six hundred dollars. Unless some means be soon provided by law for the recovery of the funds thus withheld, it may be entirely lost, and hence it is only necessary to mention the matter.

to see the necessity of some legislative action in the premises. I would therefore suggest that the Auditor be authorized by law to employ counsel in all such cases, where it may be necessary, at the expense of the Territory, in order to commence proceeding against such delinquent officers and their sureties for the recovery of such unpaid funds. As there never has been any full settlement made between the Territory and the respective counties in relation to the Territorial funds, I deem it important that some provisions should be adopted to prevent further delay, correct the evil and prevent any such neglect in the future. One difficulty which seems to cause such delays, is found in the fact that it is too burdensome and expensive for County Treasurers to come to the capital of the Territory to meet the Auditor, and bring with them all the necessary books and accounts; and there is no authority of law for the Auditor to visit the respective counties in order to make such settlements. I would therefore recommend, as the most economical system of making such settlements, that the Auditor be authorized by law to visit the respective counties, and to require the County Treasurer and Clerk of each county to meet him at the County Seat of their county, and there to produce all the books and accounts necessary to make such settlements so far as relates to Territorial revenues. And as there must necessarily be some time and labor spent by such County Treasurer and Clerk in attending upon such settlement and investigating the accounts of former officers as well as their own accounts, it would be but proper and just that an appropriation be made to pay a fair compensation for their time and labor, as well as the actual traveling expenses of the Auditor.

I also deem it proper to call the attention of the Legislature to some defects in the revenue laws, suggested in several of the reports received from County Clerks. There seems to be an inconsistency between the act creating the office of precinct assessors, approved January 10th, 1861, and the act to provide for the assessment of real estate and personal property, approved January 11th, 1861. By the former act the Assessors are required to return their lists to the County Clerk on or before the 10th day of May, and by the latter act the Clerk is required to send an abstract of such returns to the Territorial Auditor on the first Monday of the same month. It will therefore be seen that it is impossible for the County Clerk to transmit the abstract report to the Territorial Auditor on the first Monday of May when the assessors are not required to report to him until the 10th of the same month. This error should be corrected, and some certain time should be fixed by law for the assessors to make their returns to the County Clerks, so as to give the Clerks sufficient time to make the abstract report to the Territorial Auditor. And as many assessors and county clerks delay making their respective reports until long after the time appointed by law for them to do so, and thereby greatly embarrass the business operations and retard the efficiency of the school and revenue systems, it is deemed not improper here to suggest that these derelictions of duty in such officers might be remedied by the infliction of proper penalties upon all such officers who fail or neglect to prepare and make the returns at the time required by law.

Again, it is a mooted question in some parts of the Territory as to whether moveable improvements on government lands and on homesteads are taxable. If the Legislature deem such improvements taxable, it would remove all doubt and put an end to a vexatious question to so declare such property proper subjects of taxation by legislative enactment.

Again, it is generally suggested in these abstract reports that it would be more economical, and would secure a better system of uniformity in all the operations of the revenue system, for the Territory to furnish all the necessary blank books, blank assessment lists and all other necessary blanks used in the workings of the system; and that the Auditor be authorized by law to procure all such blanks and transmit them to the respective County Clerks, to be delivered by them to the proper officers of the County. I deem this matter of sufficient importance to earnestly recommend it to your consideration. Uniformity in any system of business will not only give greater efficiency to its operations and promote its success, but will also secure a greater degree of harmony, and diffuse among its officers a better knowledge of its respective duties.

I may also remark that, under the present system of collecting revenue by the sale of lands for delinquent taxes, there are, in most Counties of the Territory, large quantities of lands remaining unsold for want of purchasers; and this state of things occurs principally from the fact that persons hesitate to bid on lands at such sales, fearing that under the present revenue system, they may not obtain valid titles by such purchases, in case there should be no redemption of the lands before the expiration of two years. These doubts and fears arise perhaps principally from the apprehension that some neglect of duty or error, however trifling, on the part of the Assessor or other officers of the revenue laws, may defeat and invalidate the title acquired under such sale. The lands, therefore, remain unsold, the taxes unpaid, and there is no remedy by law to force the payment of such delinquent taxes. The subject surely demands your consideration, and some remedy should be provided for the evil, which, in some counties, has become a serious loss to the revenue funds.

In most of the counties, the fees of the county and township officers for services rendered, are inadequate to secure promptness and fidelity in the discharge of the duties imposed upon them. The fees should be proportionate to the amount and nature of the labor to be performed, so as to secure the services of good and efficient officers.

There are accounts against the Territory, presented for repairing, cleaning and handling arms belonging to the Territory, which ought to be paid; and also a just compensation should be allowed Robert Knox for his services as armorer—an office which has become a necessity by reason of the insurrectionary and treasonable acts of a portion of the people of our common country, and by reason of the difficulties which may at any time arise with the Indians on the frontier parts of our Territory.

Again, Douglas and some other counties claim a return of the amount over paid on the taxes of 1860, being the excess of one-third

of the whole levy, which was directed to be paid to the Territorial Treasurer, and the balance refunded to the counties. Several accounts have been presented by the publishers of Newspapers for printing military orders, proclamations, &c., all which accounts, if allowed, will require legislative appropriations.

At the seventh session of the Legislature, the Territorial Auditor was authorized, by law, to sell the fragments of cast-iron then lying around the Capitol building. The same were sold by my predecessor in office, to the amount of nine hundred and seventy-one dollars and seventy-eight cents, of which sum one hundred and fifty dollars were paid at the time, and a credit given on the balance. This balance, with the interest thereon, was not collected until after the time had expired for making the apportionment in September last. The aggregate collected, with interest thereon, amounts to the sum of nine hundred and forty dollars and ninety-two cents, and for which amount the Secretary of the Territory has made a demand on me, claiming that the same are the funds of the General Government for the completion of the Capitol building; but I declined paying the same to him, and have paid the same into the Territorial Treasury, to be apportioned to the several school districts at the time of the next apportionment, unless you shall determine to make some other disposition of said funds.

Several claims for supplies furnished to the expedition against the Pawnees, in the year 1859, have been paid by the Territory. If the Auditor were authorized by law to seek the recovery of said several amounts from the Government of the United States, and employ counsel in the prosecution of said claims, if necessary, I deem it very probable that the same might be recovered. I submit the matter to your consideration.

The books, vouchers, and other valuable papers pertaining to the office of the Territorial Auditor have largely accumulated, and have become valuable documents to the Territory, and should be safely protected against any loss by fire or otherwise; and as the Territory has never yet made any provisions for the safe-keeping of such books and papers, I would earnestly recommend the appropriation of a sufficient amount for the purchase of a fire-proof safe for this purpose.

At the seventh session of the Legislature an act was passed reducing the salary of the Auditor from eight hundred dollars to six hundred dollars; that of the School Commissioner from one thousand dollars to six hundred dollars; and that of the Treasurer from four hundred dollars to two hundred dollars per annum from the 4th day of March, 1861. These several officers had been elected to their respective offices, qualified and entered upon the discharge of the duties of their respective offices, long prior to the passage of this act reducing their salaries, and under the implied, or I might say, very certain understanding, that during their term of office, their respective salaries should remain what the law made them when they commenced their term of office. With this understanding of the law, claims have been presented for the full amount of their salaries as fixed by law when their term of office commenced. Justice requires that these demands

be paid, but I have deemed it proper to submit the matter to your consideration, and suggest that an appropriation be made to pay the claims.

I would recommend that the Governor and two or more other suitable persons, to be appointed as you may direct, be added to the Territorial Board of Equalization.

I present herewith tabular statements showing the different Territorial funds received and disbursed—the balances due from counties to the Territory from the year 1859 to the present time; a comparative view between the assessments during the same years, together with a recapitulation of the same; and also statements of accounts allowed and warrants drawn since January 15th, 1862; of warrants and funded indebtedness of the Territory; interest paid on Territorial indebtedness and of the liability and resources of the Territory. These tabular statements will fully explain themselves, and to them I invite your attention as an exhibit of the financial affairs of the Territory, so full and complete as the same can possibly be made from the reports and statistics received not only at this office, but also at the office of the Territorial Treasurer. It is proper, however, to remark, that many reports received from the counties were not full, and I presume in some particulars, incorrect, and therefore, the general exhibit above referred to cannot be considered as a truly correct exhibition, in all particulars, of the Territorial financial affairs, but it approximates very nearly to correctness, and, as already remarked, is made from the best and most reliable material which could be obtained for that purpose,

All of which is respectfully submitted,

WILLIAM E. HARVEY,

Auditor and School Commissioner.

STATEMENT.

ACCOUNTS ALLOWED, AND WARRANTS DRAWN, SINCE JANUARY 15, 1862.

On Account of "Revenue Expense."

J. W. Pearman	Mileage from Nebraska City and return.....	\$ 5 00
J. K. Ish.....	Fees for collecting General Fund.....	38 35
J. K. Ish.....	" " Sinking Fund.....	37 35
J. R. Conkling.....	" " Sinking Fund.....	5 75
J. R. Conkling.....	" " General Fund.....	8 12
J. W. Pearman	" " General Fund.....	50 40
David Leach	" " Sinking Fund.....	38 58
David Leach	" " General Fund.....	22 76
E. H. Grenelle.....	" " Sinking Fund.....	13 77
E. H. Grenelle.....	" " General Fund.....	32 82
David Leach	" " General Fund.....	7 26
David Leach	" " Sinking Fund.....	8 00
G. W. Forbes.....	" " General Fund.....	84 07

Total..... \$341 68

On Account of "Salaries."

W. E. Harvey.....	Salary as Auditor.....	\$1,162 95
Aug. Kountze.....	Salary as Treasurer.....	350 00
A. D. Luce.....	Balance Salary as Librarian.....	138 89
J. G. Chapman.....	Balance Salary as District Attorney.....	406 58

Total..... \$2,058 42

On Account of "Office Expenses."

A. Kountze.....	Rent of office for Treasurer.....	\$175 00
W. E. Harvey.....	Rent of office for Auditor.....	157 50
J. W. Towsley.....	Wood for Auditor's office.....	6 40
Geo. L. Everett.....	Paper for Warrant Books.....	15 00
Taylor & M'Clure.....	Printing for Auditor's Office.....	6 00
Taylor & M'Clure.....	Printing for Treasurer's Office.....	6 00
Taylor & M'Clure.....	Advertising for Surrender of Bonds.....	15 00
M. H. Clark	Printing for School Commissioner, Treasurer, &c.....	30 00
W. E. Harvey.....	Lights, Wood-cutting, &c., for Auditor's Office.....	10 00
Geo. R. Smith.....	Postage-Box Rents, &c., for Auditors.....	15 75
M. Rogers.....	Repairing Stove.....	5 00
W. F. Sweezy	Transportation of Laws, &c.....	5 50
Thomas Morton.....	Advertising for Auditor's Office.....	1 50
Thomas Morton.....	" " Treasurer's Office.....	7 50
S. B. Woolworth, jr.....	Stationery for Auditor's Office.....	15 00
Kountze Bro's.....	Books for Treasurer's Office.....	47 00
M. H. Clark.....	Printing for Auditor's Office.....	14 00
H. W. DePuy.....	Laws and Journals for Librarian's Office.....	12 50

Total..... \$544 65

On Account of "Election Messenger."

R. R. Folsom.....	Carrying Election Returns from Burt County.....	\$ 9.00
Jonas Hacker.....	" " " " Nemaha County.....	16.00
Total.....		<u>\$25 00</u>

RECAPITULATION.

Revenue Expense account.....	\$ 341 68
Salaries	2,058 42
Office Expenses.....	544 65
Election Messenger.....	25 00
Total Warrants drawn.....	\$2,969 75

Accounts allowed and Bonds Issued by Auditor.

F. G. Beecher.....	Pawnee War Expenses.....	\$225 00
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WARRANT AND FUNDED INDEBTEDNESS.

Bonds.

Bonds issued by W. W. Wyman.....	\$ 4,000 00	
“ “ A. S. Paddock.....	88,000 00	
“ “ W. E. Harvey.....	225 00	
Total Bonds issued.....		\$37,225 00
Bonds cancelled by A. S. Paddock.....	\$ 4,000 00	
“ “ A. Kountze.....	2,000 00	
Total Bonds cancelled.....		\$ 6,000 00
Bonds outstanding.....		\$31,225 00

Warrants.

Warrants issued by C. B. Smith.....	\$18,575 61
" " W. E. Moore.....	2,890 60
" " R. C. Jordan.....	61,190 82
" " W. E. Harvey.....	2,969 57
Total Warrants issued.....	\$80,626 78
Warrants cancelled by R. C. Jordan.....	\$ 2,834 82
" " W. W. Wyman.....	24,709 80
" " Ang. Kountze.....	13,597 29
" " A. S. Paddock.....	20,513 93
" " Issue of Certificates by County Treasurers.....	1,101 90
Total Warrants cancelled.....	\$62,757 24
Warrants outstanding.....	\$17,869 54
Certificates outstanding.....	\$1,101 90

FRIDAY, JANUARY 8, 1864.

Total Principal of Warrant and Funded Indebtedness.

Bonds.....	\$31,225 00
Warrants.....	17,869 54
Certificates.....	1,101 90
Total.....	\$50,196 44

Interest paid on Territorial Indebtedness.

By R. C. Jordan.....Interest on West Bonds.....	\$ 300 00
By W. W. Wyman....." " ".....	1,075 00
By A. S. Paddock....." " ".....	3,354 41
Total Interest on West Bonds.....	\$4,729 41
By R. C. Jordan.....Interest on Warrants cancelled.....	227 74
By W. W. Wyman....." " redeemed.....	695 57
By A. S. Paddock....." " funded.....	5,181 66
By A. Kountze....." " redeemed.....	1,609 24 7,664 21
By A. Koutze.....Interest on 7 per cent. Bonds.....	\$2,828 51
Total Amount of Interest paid by Territory	\$15,217 13

LIABILITIES AND RESOURCES.

Liabilities.

Outstanding Bonds.....	\$31,225 00
Interest due January 1, 1863, unpaid.....	9 30
" July 1, 1863, ".....	21 87
" January 1, 1864, ".....	1,085 00
" " " on Beecher's Bond.....	15 75 \$32,356 92
Outstanding Warrants.....	17,869 54
Interest due on Warrants, (estimated).....	7,130 46 25,000 00
Outstanding Certificates.....	1,101 90
Overpayments by Counties, Taxes of 1860.....	1,435 18
Total Liabilities:.....	\$59,898 00

Resources.

General Fund in hand of Territorial Treasurer.....	\$65 25
Sinking " " " ".....	4,342 51 \$4,407 76
General Fund in hands of County Treasurers, Revenue for 1859.....	29 24
" " " " " " 1861.....	302 77
" " " " " " 1862.....	897 67 1,229 68
Sinking Fund in hands of County Treasurers, for 1861.....	228 62
" " " " " " 1862.....	288 24 516 86
Amount of Delinquent Taxes for 1859, General Fund.....	4,261 00
Balances due from Counties for 1860, " ".....	236 67
Amount of Delinquent Taxes for 1861, " ".....	2,260 80
" " " " " " 1862, " ".....	2,874 76
Amount of Levy for 1863, General Fund.....	10,398 11 19,531 24
Amount of Delinquent Sinking Fund, Taxes for 1861.....	2,101 02
" " " " " " 1862.....	1,650 00
Amount of Sinking Fund, taxes levied for 1863.....	6,932 12 10,683 14
Penalty and Interest on Delinquent General Fund for 1859.....	3,766 77
" " " " " " 1861.....	565 17
" " " " " " 1862.....	356 22
" " " " " " Sinking Fund for 1861.....	525 25
" " " " " " 1862.....	247 50 5,460 91
Total resources.....	\$41,829 59
Excess of Liabilities over Resources.....	\$18,068 41

General Fund.

July 1, 1859.	To amount of levy for 1859.....	\$420 82	
	Balance due for 1859.....		\$420 82
July 1, 1860.	To one-third of levy for 1860.....	153 68	
Dec. 5, 1863.	To amount of penalty and interest collected, (County Treasurer's Report).....	5 24	
Jan. 8, 1861.	By amount paid to Territorial Treasurer by J. R. Conkling		181 86
Oct. 3, 1861.	" " " "		32 44
	Overpaid.....	55 18	
Dec. 5, 1863.	Reported in hands of County Treasurer....	\$45 89.	
June 11, 1861.	To amount of levy for 1861.....	262 03	
Dec. 5, 1863.	" penalty and interest collected, Co. Treasurer's Report.....	4 94	
Dec. 23, 1862.	By amount paid to Territorial Treasurer by J. R. Conkling		140 46
Jan. 16, 1863,	" " " "		19 12
Feb. 18, 1863.	" " " "		43 57
Feb. 21, 1863.	" " " "		1 74
Apr. 18, 1863.	" " " "		10 74
Dec. 5, 1863.	Reported amount in hands of County Treasurer.....		7 00
	Balance for 1861.....		44 34
June 1, 1862.	To amount of levy for 1862.....	207 27	
Dec. 5, 1863.	" penalty and interest collected, (Co. Treasurer's Report).....	7 90	
Apr. 18, 1863.	By amount paid to Territorial Treasurer by J. R. Conkling		8 26
Apr. 21, 1863.	" " " "		16 00
May 21, 1863.	" " " "		10 16
Dec. 5, 1863.	Reported amount in hands of County Treasurer.....		99 77
	Balance for 1862.....		80 98
July 1, 1863.	To amount of levy for 1863.....	185 57	
	Balance for 1863.....		135 57

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	\$174 69	
Dec. 5, 1863.	" penalty and interest collected to date, (Co. Treasurer's Report).....	3 38	
Nov. 1, 1862.	By amount paid to Territorial Treasurer by J. R. Conkling		130 00
Feb. 18, 1863.	" " " " " " " " " " "		13 72
Dec. 5, 1863.	Amount reported in hands of County Treasurer.....		6 38
	Balance for 1861.....		27 92
June 1, 1862.	To amount of levy for 1862.....	188 18	
Dec. 5, 1863.	" penalty and interest collected, (County Treasurer's Report).....	5 06	
Dec. 5, 1863.	Amount reported in hands of County Treasurer.....		90 71
	Balance for 1862.....		52 58
July 1, 1863.	To amount of levy for 1863.....	90 38	
	Balance for 1863.....		90 38

CASS COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	3,009 91	
Aug. 29, 1859.	" additions by County Clerk.....	32 18	
Oct. 1, 1862.	" penalty and interest collected by S. Duke to date		34 56
May 5, 1853.	" " " " " " " " " "	28 12	
June 12, 1863.	" " " " " " " " " "	16 74	
May 14, 1856.	By amount paid to Territorial Treasurer by W. Caldwell		66 30
Dec. 16, 1859.	" " " " " " " " " "		60 85
Jan. 12, 1861.	" " " " " " " " " "		1,504 68
Apr. 5, 1861.	" " " " " " " " " "		419 45
Sep. 27, 1861.	" " " " " " " " " "		106 38
June 16, 1863.	" " " " " " " " " "		101 08
" " " " " " " " " "	" " " " " " " " " "		79 42
Oct. 3, 1863.	" " " " " " " " " "		80 49
	Retained by S. Duke for collection fees.....		10 87
	Balance due for 1859.....		691 99
July 1, 1860.	To one-third of levy for 1860.....	1,000 00	
Mar. 6, 1862.	To amount of unredeemed certificate on Warrant No. 815...	41 79	
Apr. 5, 1861.	By amount paid to Territorial Treasurer by J. D. Simpson		539 42
Sep. 27, 1861.	" " " " " " " " " "		407 70
	Balance due for 1860.....		94 67
June 12, 1863.	Amount reported collected and retained by S. Duke to date....\$532 92,		
June 11, 1861.	To amount of levy for 1861.....	1,520 35	
Oct. 1, 1862.	" penalty and interest collected by S. Duke to date	18 36	
May 5, 1863.	" " " " " " " " " "	17 47	
June 12, 1863.	" " " " " " " " " "	8 47	
June 19, 1862.	By amount paid to Territorial Treasurer by S. Duke.....		590 64
Oct. 13, 1862.	" " " " " " " " " "		532 84
June 16, 1863.	" " " " " " " " " "		160 93
" " " " " " " " " "	" " " " " " " " " "		35 14
Oct. 3, 1863,	" " " " " " " " " "		64 51
	Amount retained by S. Duke, collection fees.....		57 67
Oct. 3, 1863.	Amount in hands of County Treasurer.....		52 08
	Balance for 1861.....		70 84
June 1, 1862.	To amount of levy for 1862.....	1,336 71	
Oct. 3, 1863.	" penalty and interest collected by S. Duke...	6 10	
June 16, 1863.	By amount paid to Territorial Treasurer by S. Duke.....		539 64
Oct. 2, 1863.	" " " " " " " " " "		147 54
Oct. 3, 1863.	" " " " " " " " " "		20 95
	Amount retained by S. Duke, collection fees.....		29 88
	Amount in hands of County Treasurer.....		86 82
	Balance for 1862.....		508 98
July 1, 1863.	To amount of levy for 1863.....	1,401 45	
	Balance for 1863.....		\$1,401 45

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Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	\$1,013 57
Oct. 1, 1862.	" " penalty and interest collected by S. Duke to date.....	13 09
May 5, 1863.	To amount of penalty and interest collected by S. Duke to date.....	9 40
June 12, 1863.	To amount of penalty and interest collected by S. Duke to date.....	4 87
June 12, 1862.	By amount paid to Territorial Treasurer by S. Duke....	185 00
June 19, 1862.	" " " "	190 00
Oct. 13, 1862.	" " " "	200 50
June 16, 1863.	" " " "	137 41
Oct. 2, 1863.	" " " "	4 51
	Amount of collection fees retained by S. Duke.....	20 58
	Balance for 1861.....	294 08
June 1, 1862.	To amount of levy for 1862.....	891 14
June 16, 1863.	By amount paid to Territorial Treasurer by S. Duke.....	370 09
Oct. 2, 1863.	" " " "	165 89
	Amount retained by S. Duke for collection fees.....	22 81
Oct. 2, 1863.	Amount in hands of County Treasurer.....	1 69
	Balance for 1862.....	381 66
July 1, 1863.	To amount of levy for 1863.....	934 80
	Balance for 1863.....	934 30

CEDAR COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	56 09	
July 11, 1861.	" penalty and interest collected to date by G. A. Hall.....	2 88	
Nov. 13, 1862.	To amount of penalty and interest collected to date by J. S. McConbrey.....	1 87	
Nov. 15, 1863.	To amount of penalty and interest collected to date by J. S. McConbrey.....	80	
Nov. 15, 1863.	By amount of additions reported by J. S. McConbrey....	44 13	
Jan. 11, 1861.	By amount paid to Territorial Treasurer, by G. A. Hall..		60 45
Nov. 13, 1862.	" " " by J. S. McCon- brey.....		17 52
Nov. 15, 1863.	Amount on hand, reported by J. S. McConbrey.....		2 00
	Balance for 1859.....		25 80
July 1, 1860.	To one-third of levy for 1860.....	38 10	
June 11, 1861.	By amount paid to Territorial Treasurer, by G. A. Hall..		63 20
Oct. 29, 1861.	" " " "		16 57
Nov. 19, 1862.	" " " by J. S. McCon- brey.....		10 15
	Overpaid.....	51 82	
Nov. 15, 1863.	Amount reported in hands of County Treasurer, Principal \$12 75, Int. \$8 14, Total \$15 89.		
June 11, 1861.	To amount of levy for 1861.....	48 15	
Nov. 13, 1862.	To amount of penalty and interest, reported by J. S., McConbrey.....	1 88	
Nov. 15, 1863.	To amount of penalty and interest, reported by J. S. McConbrey.....	1 12	
Nov. 15, 1863.	To amount of additions reported by J. S. McConbrey....	32 31	
Nov. 19, 1862.	By amount paid to Territorial Treasurer by "		49 44
Nov. 15, 1863.	Amount reported in hands of County Treasurer.....		10 97
	Balance for 1861.....		28 05
June 1, 1862.	To amount of levy for 1862.....	55 89	
Nov. 15, 1863.	To amount of additions reported by J. S. McConbrey....	2 60	

Sinking Fund.

CLAY COUNTY.

General Fund.

Sinking Fund.

CUMING COUNTY

General Fund.

July 1, 1863.	To amount of levy for 1863.....	\$10 61
	Balance for 1863.....	\$10 61

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Sinking Fund.

July 1, 1863. To amount of levy for 1863..... \$7 07
Balance for 1863..... 7 07

DAKOTA COUNTY.

General Fund.

July 1, 1859. To amount of levy for 1859..... \$324 73
Jan. 3, 1861. To amount of penalty and interest collected by M. Pinkerton..... 8 00
Jan. 10, 1860. By amount paid to Territorial Treasurer by G. A. Hinsdale..... 32 00
Mar. 14, 1860. " " " " by M. Pinkerton..... 65 20
June 5, 1861. " " " " " "..... 77 50
Jan. 3, 1861. " " " " " "..... 30 00
Balance for 1859..... 123 08
July 1, 1860. To one-third of levy for 1860..... 156 30
Jan. 3, 1861. To amount of penalty and interest collected by M. Pinkerton..... 2 00
" By amount paid to Territorial Treasurer, by M. Pinkerton..... 101 00
Balance for 1860..... 57 30
June 1, 1861. To amount of levy for 1861..... 347 77
Dec. 31, 1862. By amount paid to Territorial Treasurer, by J. McCarthy..... 100 52
Balance for 1861..... 257 25
June 1, 1862. To amount of levy for 1862..... 320 27
Nov. 10, 1863. By amount paid to Territorial Treasurer, by J. McCarthy..... 111 49
Balance for 1862..... 208 78
July 1, 1863. To amount of levy for 1863..... 320 27
Balance for 1863..... 320 27

Sinking Fund.

June 11, 1861. To amount of levy for 1861..... 231 85
Balance for 1861..... 231 85
June 1, 1862. To amount of levy for 1862..... 213 51
Apr. 5, 1863. Amount reported in hands of County Treasurer..... 26 48
Balance for 1862..... 187 03
July 1, 1863. To amount of levy for 1863..... 213 51
Balance for 1863..... 213 51

DIXON COUNTY.

General Fund.

July 1, 1859. To amount of levy for 1859..... 97 40
May 18, 1863. " " " " " " (penalty and interest collected, Co. statement)..... 1 42
Jan. 2, 1860. By amount paid to Territorial Treasurer by John Malone..... 71 29
Oct. 29, 1861. " " " " " "..... 7 13
Nov. 9, 1863. " " " " " " by L. Davis..... 62
Balance for 1859..... 19 78
July 1, 1860. To one-third of levy for 1860..... 36 58
May 1, 1861. By amount paid to Territorial Treasurer by J. Malone..... 91 94
Oct. 29, 1861. " " " " " "..... 8 12
Nov. 9, 1863. " " " " " " by L. Davis..... 7 13
Overpaid..... 70 61
June 11, 1861. To amount of levy for 1861..... 75 00
Oct. 17, 1862. By amount paid to Territorial Treasurer by Gustavus Smith..... 19 86
Nov. 9, 1863. " " " " " " by L. Davis..... 14 56
Balance for 1861..... 40 58

FRIDAY, JANUARY 8, 1864.

June 1, 1862.	To amount of levy for 1862.....	44 00	
Oct. 5, 1863.	To penalty and interest collected to date by L. Davis.....	81	
Nov. 9, 1863.	By amount paid to Territorial Treasurer by L. Davis....		40 08
	Reported in hands of Co. Treasurer.....		2 06
	Balance for 1862.....		2 17
July 1, 1863.	To amount of levy for 1863.....	50 77	
	Balance due for 1863.....		50 77

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	50 00	
Oct. 17, 1862.	By amount paid to Territorial Treasurer by G. Smith.....		21 55
	Balance for 1861.....		23 45
June 1, 1862.	To amount of levy for 1862.....	29 35	
Oct. 5, 1863.	" penalty and interest collected by L. Davis.....	21	
Nov. 9, 1863.	By amount paid to Territorial Treasurer by L. Davis....		28 34
	Amount in hands of Co. Treasurer...		82
	Balance for 1862.....		40
July 1, 1863.	To amount of levy for 1863.....	33 86	
	Balance for 1863.....		33 85

DODGE COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	478 34	
Jun. 16, 1856.	By amount paid to Territorial Treasurer by Isaac Underwood.....		20 20
Dec. 10, 1859.	By amount paid to Territorial Treasurer by Silas J. Francis		85 80
Jan. 12, 1860.	" " " " " "		165 02
Aug. 3, 1861.	" " " " " by H. C. Campbell		74 46
	Balance for 1859.....		132 86
July 1, 1860.	To one-third of levy for 1860.....	80 63	
Dec. 19, 1861.	To amount of warrants refunded.....	124 00	
Dec. 5, 1860.	By amount paid to Territorial Treasurer by H. C. Campbell		171 47
Aug. 3, 1861.	" " " " " "		38 16
Jun 11, 1861.	To amount of levy for 1861.....	136 02	
Oct. 17, 1862.	By amount paid to Territorial Treasurer by H. C. Campbell		107 08
	Balance for 1861.....		28 94
June 1, 1862.	To amount of levy for 1862.....	251 62	
Nov. 18, 1863.	By amount paid to Territorial Treasurer by H. C. Campbell		109 46
	Balance for 1862.....		142 16
July 1, 1863.	To amount of levy for 1863.....	242 70	
	Balance for 1863.....		242 70

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	90 68	
Oct. 17, 1862.	By amount paid to Territorial Treasurer by H. C. Campbell		60 00
	Balance for 1861.....		80 68
June 1, 1862.	To amount of levy for 1862.....	167 74	
Nov. 18, 1862.	By amount paid to Territorial Treasurer by H. C. Campbell		50 00
	Balance for 1862.....		117 74
July 1, 1863.	To amount of levy for 1863.....	161 80	
	Balance for 1863.....		161 80

DOUGLAS COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	\$6,818 10	
Nov. 26, 1861.	To penalty and interest collected by Geo. W. Forbes.....	82 58	

Nov. 23, 1863.	To penalty and interest collected by J. K. Ish.....	\$ 23 82	
July 7, 1857.	By amount paid to Territorial Treasurer by L. G. Goodwill		377 67
Aug. 15, 1857.	" " " " " "		978 06
Sep. 10, 1857.	" " " " " "		260 00
Jan. 2, 1860.	" " " " " " G. W. Forbes		2,069 37
Nov. 26, 1861.	" " " " " " " "		2,819 13
Dec. 19, 1862.	" " " " " " J. K. Ish....		54 84
Nov. 23, 1863.	" " " " " " " "		41 71
Overpaid in consequence of crediting payments for previous years to account for 1859.....			
		176 38	
July 1, 1860.	To one-third of levy for 1860.....	1,000 00	
Nov. 26, 1861.	By amount paid to Territorial Treasurer by G. W. Forbes		994 89
Mar. 18, 1862.	" " " " " " " "		428 33
Jun. 17, 1862.	" " " " " " " "		136 92
Overpaid for 1860.....			
		560 14	
Collections by Forbes retained by county, \$540 58			
	Ish " " " " " "	274 78	
Jun. 11, 1861.	To amount of levy for 1861.....	1,435 22	
May 5, 1863.	" additional levy, (Co. Clerk's statement).....	578 10	
Nov. 28, 1863.	" penalty and interest collected by J. K. Ish...		55 48
Jun. 17, 1862.	By amount paid to Territorial Treasurer by J. K. Ish....		955 43
Dec. 19, 1862.	" " " " " " " "		448 41
Jun. 30, 1863.	" " " " " " " "		177 37
Nov. 23, 1863.	" " " " " " " "		12 67
Balance for 1861.....			
			474 92
Jun. 1, 1862.	To amount of levy for 1862.....	1,805 90	
Nov. 23, 1863.	To penalty and interest collected by J. K. Ish.....	23 87	
Jun. 30, 1863.	By amount paid to Territorial Treasurer by J. K. Ish		1,106 96
Nov. 13, 1863.	" " " " " " " "		276 59
Nov. 23, 1863.	" " " " " " " "		38 66
Balance for 1862.....			
			407 56
July 1, 1863.	To amount of levy for 1863.....	2,252 05	
Balance for 1863.....			
			2,252 05

Sinking Fund.

Jun. 11, 1861.	To amount of levy for 1861.....	1,435 22	
Nov. 22, 1863.	To penalty and interest collected by J. K. Ish.....	36 27	
Jun. 17, 1862.	By amount paid to Territorial Treasurer by J. K. Ish		350 00
Dec. 26, 1862.	" " " " " " " "		582 61
Jun. 30, 1863.	" " " " " " " "		118 25
Nov. 23, 1863.	" " " " " " " "		7 89
Balance for 1861.....			
			413 24
June 1, 1862.	To amount of levy for 1862.....	1,203 92	
Nov. 23, 1863.	To amount of penalty and interest collected by J. K. Ish..	16 43	
Jun. 30, 1863.	By amount paid to Territorial Treasurer, by J. K. Ish.t..		715 08
Nov. 23, 1863.	" " " " " " " "		214 27
Balance for 1862.....			
			291 00
July 1, 1863.	To amount of levy for 1863.....	1,501 36	
Balance for 1863.....			
			1,501 36

GAGE COUNTY.

General Fund.

July 11, 1860.	To one-third of levy for 1860.....	37 11	
Mar. 5, 1861.	By amount paid to Territorial Treasurer by Co. Treasurer		50 00
Overpaid.....			
		12 89	
Oct 10, 1863.	Amount in hands of County Treasurer \$31 81.		
June 11, 1861.	To amount of levy for 1861.....	68 18	
Oct. 10, 1863.	To amount of additions by Co. Clerk.....	2 86	
Oct. 10, 1863.	Amount in hands of County Treasurer.....		50 62
Balance for 1861.....			
			15 42

FRIDAY, JANUARY 8, 1864.

June 1, 1861.	To amount of levy for 1862.....	\$75 38	
Oct. 10, 1863.	To amount of addition by Co. Clerk.....	1 76	
Oct. 10, 1863.	Amount in hands of County Treasurer.....		50 72
	Balance for 1862.....		26 42
July 1, 1863.	To amount of levy for 1863.....	100 36	
	Balance for 1863.....		100 36

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	42 12	
Oct. 10, 1863.	To amount of additions by Co. Clerk.....	1 90	
Oct. 10, 1863.	Amount in hands of Co. Treasurer.....		33 74
	Balance for 1861.....		10 28
June 1, 1862.	To amount of levy for 1862.....	50 25	
Oct. 10, 1863.	To amount of additions by Co. Clerk.....	97	
Oct. 10, 1863.	Amount in hands of Co. Treasurer.....		33 76
	Balance for 1862.....		17 46
July 1, 1863.	To amount of levy for 1863.....	66 91	
	Balance for 1863.....		66 92

JOHNSON COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	203 85	
May 5, 1863.	To amount of penalty and interest reported by Co. Clerk	34	
Aug. 31, 1863.	" " " " " "	1 66	
Oct. 15, 1859.	By amount paid to Territorial Treasurer by J. R. Little for 1857.....		98 75
Oct. 28, 1859.	By amount paid to Territorial Treasurer by J. R. Little for 1858.....		44 83
Dec. 5, 1860.	By amount paid to Territorial Treasurer by M. K. Cody..		156 08
	Amount overpaid in consequence of crediting payments for previous years to account of 1859.....	93 76	
Aug. 31, 1863.	Amount reported in hands of County Treasurer, \$16 33.		
July 1, 1860.	To one-third of levy for 1860.....	62 20	
Jan. 3, 1861.	By amount paid to Territorial Treasurer by W. K. Cody		31 83
Sep. 23, 1861.	" " " " " "		45 00
	Overpaid	64 64	
Aug. 31, 1863.	Amount reported in hands of County Treasurer, \$27 90.		
Jun. 11, 1861.	To amount of levy for 1861.....	105 00	
May 5, 1863.	To amount of penalty and interest reported to date by J. S. Daily.....	51	
Aug. 31, 1863.	To amount of penalty and interest reported to date by J. S. Daily.....	1 72	
Aug. 31, 1863.	Amount reported in hands of county treasurer.....		88 84
	Balance for 1861.....		18 39
June 1, 1862.	To amount of levy for 1862.....	128 32	
May 5, 1863.	To amount of additions reported by County Clerk.....	103 70	
Aug. 31, 1863.	To amount of penalty and interest reported by James S. Daily	1 54	
Aug. 31, 1863.	Amount reported in hands of county treasurer.....		177 08
	Balance for 1862.....		56 48
July 1, 1863.	To amount of levy for 1863.....	128 32	
	Balance for 1863.....		128 32

Sinking Fund.

Jun., 11 1861.	To amount of levy for 1861.....	70 00	
	Balance for 1861.....		70 00
Jun. 1, 1862.	To amount of levy for 1862.....	85 55	
	Balance for 1862.....		85 55
July 1, 1863.	To amount of levy for 1863.....	85 55	
	Balance for 1863.....		85 55

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KEARNEY COUNTY.

General Fund.

July 1, 1863.	To amount of levy for 1863.....	\$38 00	
	Balance for 1863.....		38 00

Sinking Fund.

July 1, 1863.	To amount of levy for 1863.....	25 34	
	Balance for 1863.....		25 34

NEMAHA COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	1,481 53	
Oct. 5, 1863.	" penalty and interest collected by Jonas Hacker	68	
Sep. 30, 1863.	" " " " " "	22	
Jun. 16, 1856.	By amount paid to Territorial Treasurer by W. Hoblitzell		30 00
Jan. 13, 1859.	" " " for 1856 and 1858		788 21
Dec. 28, 1859.	" " " by J. Strickler...		437 95
Jan. 4, 1861.	" " " " " "		225 21
Jun 23, 1863.	" " " by J. Hacker.....		2 31
Oct. 8, 1863.	" " " " " "		93
Sep. 30, 1863.	Amount of collection fees retained by Jonas Hacker.....		04
	Excess collected, including penalty and interest not accounted for.....	2 22	
July 1, 1860.	To one-third of levy for 1860.....	700 00	
Oct. 11, 1861.	To warrants issued to county for amount overpaid.....	283 11	
Jan. 4, 1861.	By amount paid to Territorial Treasurer by J. Strickler....		651 88
Jun 15, 1861.	" " " " " "		831 28
Oct. 22, 1862.	" " " by J. H. Morrison...		184 52
	Amount overpaid.....	134 52	
Oct. 22, 1862.	Amount returned by J. H. Morrison, collection fees \$5 61.		
Jun 11, 1861.	To amount of levy for 1861.....	1,050 00	
Oct. 15, 1862.	" of penalty and interest reported by J. H. Morrison	6 77	
Jun 15, 1863.	" " " " by Jonas Hacker	21 88	
Sep. 30, 1863.	" " " " " "	11 85	
Jun. 27, 1862.	By amount paid to Territorial Treasurer by J. H. Morrison		448 47
Oct. 22, 1862.	" " " " " "		356 33
Jun 23, 1863.	" " " by Jonas Hacker		142 99
Oct. 8, 1863.	" " " " " "		74 40
Oct. 22, 1862.	Amount retained by J. H. Morrison, collection fees.....		32 49
Oct. 8, 1863.	" by Jonas Hacker.....		3 10
	Balance for 1861.....		32 72
June 1, 1862.	To amount of levy for 1862.....	1,190 02	
Sep. 30, 1863.	" additions by County Clerks.....	10 65	
"	" penalty and interest collected by J. Hacker.....	28 11	
Jun. 23, 1863.	By amount paid to Territorial Treasurer by J. Hacker.....		685 39
Oct. 8, 1862.	" " " " " "		280 28
Oct. 8, 1863.	Amount retained by J. Hacker, collection fees.....		11 68
	Balance for 1862.....		801 43
July 1, 1863.	To amount of levy for 1863.....	1,355 73	
	Balance for 1863.....		1,355 73

Sinking Fund.

Jun. 11, 1861.	To amount of levy for 1861.....	700 00	
Oct. 15, 1862.	" penalty and interest collected by J. H. Morrison	4 45	
Jun. 15, 1863.	" " " " by J. Hacker....	15 00	
Sep. 30, 1863.	" " " " " "	8 59	

FRIDAY, JANUARY 8, 1864.

June 27, 1862.	By amount paid to Territorial Treasurer by J. H. Morrison	\$390 65
Oct. 22, 1862.	" " " "	138 47
June 22, 1863.	" " " " by J. Hacker....	107 92
Oct. 8, 1863.	" " " " " "	54 39
Oct. 22, 1862.	Amount of collection fees retained by J. H. Morrison.....	22 04
Oct. 8, 1863.	" " " " by J. Hacker.....	2 27
	Balance for 1861.....	12 30
June 1, 1862.	To amount of levy for 1862.....	793 85
Sep. 30, 1863.	" additions reported by County Clerk.....	6 92
Sep. 30, 1863.	" penalty and interest collected by J. Hacker....	18 58
June 23, 1863.	By amount paid to Territorial Treasurer by J. Hacker...	425 50
Oct. 8, 1863.	" " " " " "	189 08
Oct. 8, 1863.	Amount of collection fees retained by J. Hacker.....	7 75
	Balance for 1862.....	199 52
July 1, 1863.	To amount of levy for 1863.....	903 82
	Balance for 1863.....	903 82

OTOE COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	3,563 78
Feb. 13, 1857.	By amount paid to Territorial Treasurer by J. W. Pearman	250 00
July 18, 1857.	" " " " " "	108 33
Dec. 16, 1858.	" " " " " "	378 46
Dec. 15, 1859.	" " " " " "	243 75
June 8, 1860.	" " " " " "	451 50
	Balance for 1859.....	2,131 74
July 1, 1860.	To one-third of levy for 1860.....	1,491 35
Nov. 21, 1861.	To warrants issued to county for amount overpaid.....	230 93
June 30, 1863.	Amount of penalty and interest reported by S. E. Smith	7 89
Nov. 7, 1863.	" " " " " W. W. Smith	4 16
Jan. 11, 1861.	By amount paid to Territorial Treasurer by J. W. Pearman	973 75
June 15, 1861.	" " " " " "	748 53
June 30, 1863.	" " " " " "	52 96
Nov. 7, 1863.	" " " " " "	23 21
	Amount overpaid.....	64 12
June 11, 1861.	To amount of levy for 1861.....	1,877 68
June 30, 1863.	" penalty and interest reported by J. E. Smith	10 70
Nov. 7, 1863.	" " " " " W. W. Smith	3 04
June 4, 1862.	By amount paid to Territorial Treasurer by J. W. Pearman	707 53
Oct. 24, 1862.	" " " " " "	427 40
June 30, 1863.	" " " " " S. E. Smith....	87 02
Nov. 7, 1863.	" " " " " W. W. Smith..	16 08
	Balance for 1861.....	653 39
June 1, 1862.	To amount of levy for 1862.....	1,432 77
Nov. 7, 1863.	" penalty and interest reported by W. W. Smith	19 02
June 30, 1863.	By amount paid to Territorial Treasurer by S. E. Smith..	1,008 49
Nov. 7, 1863.	" " " " " W. W. Smith	169 30
	Balance for 1862.....	274 00
July 1, 1863.	To amount of levy for 1863.....	1,876 10
	Balance for 1863.....	1,876 10

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	1,251 79
June 30, 1863.	" penalty and interest reported by S. E. Smith..	7 32
Nov. 7, 1863.	" " " " " W. W. Smith	4 80
June 4, 1862.	By amount paid to Territorial Treasurer by J. W. Pearman	453 00
Oct. 24, 1862.	" " " " " "	353 21
June 30, 1863.	" " " " " S. E. Smith....	57 36
Nov. 7, 1863.	" " " " " W. W. Smith...	13 50
	Balance for 1861.....	386 84

June 1, 1862.	To amount of levy for 1862.....	\$955 18	
Nov. 7, 1862.	" penalty and interest reported by W. W. Smith	12 00	
June 30, 1863.	By amount paid to Territorial Treasurer by S. E. Smith..		000 78
Nov. 7, 1863.	" " " " W. W. Smith		132 78
	Balance for 1862.....		174 06
July 1, 1863.	To amount of levy for 1863.....	1,250 73	
	Balance for 1863.....		1,250 73

PAWNEE COUNTY.

General Fund.

July 1, 1860.	To amount of levy for 1860.....	227 90	
Jan. 7, 1860.	By amount paid to Territorial Treasurer by F. F. Limming		137 47
	Balance for 1860.....		90 43
July 1, 1860.	To one-third of levy for 1860.....	127 95	
Jan. 12, 1861.	By amount paid to Territorial Treasurer by F. F. Limming		106 64
	Balance for 1860.....		21 3
Jan. 5, 1863.	Amount reported retained by county, including penalty and interest, \$201 44.		
June 11, 1861.	To amount of levy for 1861.....	150 00	
May 14, 1863.	" additions reported by County Clerk.....	44 50	
"	" penalty and interest reported by F. F. Limming	3 37	
Oct. 4, 1863.	By amount paid to Territorial Treasurer by F. F. Limming		125 86
Oct. 6, 1863.	" " " "		38 80
	Balance for 1861.....		38 00
June 1, 1862.	To amount of levy for 1862.....	177 75	
Oct. 6, 1862.	By amount paid to Territorial Treasurer by F. F. Limming		147 23
	Balance for 1862.....		30 47
July 1, 1863.	To amount of levy for 1863.....	182 88	
	Balance for 1863.....		182 85

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	100 00	
May 14, 1863.	additions reported by County Clerk.....	29 78	
May 14, 1863.	penalty and interest reported by F. F. Limming.....	2 25	
Oct. 4, 1862.	By amount paid to Territorial Treasurer by F. F. Limming		89 45
Oct. 6, 1863.	" " " "		89 03
	Balance for 1861.....		33 50
June 1, 1862.	To amount of levy for 1862.....	118 50	
Oct. 6, 1862.	By amount paid to Territorial Treasurer by F. F. Limming		99 97
	Balance for 1862.....		18 53
July 1, 1863.	To amount of levy for 1863.....	121 92	
	Balance for 1863.....		121 92

PLATTE COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	71 84	
	Balance for 1859.....		71 84
July 1, 1860.	To one-third of levy for 1860.....	55 94	
Apr. 9, 1861.	By amount paid to Territorial Treasurer by V. Kummer..		40 32
Oct. 14, 1861.	" " " "		9 32
Oct. 15, 1863.	Amount reported retained by county, including penalty and interest, \$120 27.		

FRIDAY, JANUARY 8, 1864.

June 11, 1861.	To amount of levy for 1861.....	8246 28	
Oct. 15, 1863.	" " additions by county clerk.....	67 31	
Oct. 15, 1863.	To amount of penalty and interest reported by V. Kummer	0 69	
May 20, 1862.	By amount paid to Territorial Treasurer by V. Kummer		62 28
June 5, 1862.	" " " " " "		32 57
July 2, 1862.	" " " " " "		95 22
July 17, 1862.	" " " " " "		59 00
	Balance for 1861.....		68 21
June 1, 1862.	To amount of levy for 1862.....	277 75	
Oct. 15, 1863.	" " additions reported by County Clerk.....	14 11	
Oct. 15, 1863.	" " penalty and interest reported by V. Kummer	1 74	
Aug. 29, 1863.	By amount paid to Territorial Treasurer by V. Kummer..		202 50
Nov. 18, 1863.	" " " " " "		56 04
	Balance for 1862.....		35 06
July 1, 1863.	To amount of levy for 1863.....	272 63	
	Balance for 1863.....		272 63

Sinking Fund.

June 11, 1861.	To amount of levy for 1861.....	160 19	
Oct. 15, 1863.	" " additions reported by County Clerk.....	44 87	
" "	" " penalty and interest reported by V. Kummer	6 41	
June 30, 1862.	By amount paid to Territorial Treasurer by V. Kummer		100 00
Oct. 20, 1863.	" " " " " "		30 71
	Balance for 1861.....		80 76
June 1, 1862.	To amount of levy for 1862.....	185 17	
Oct. 15, 1862.	" " additions reported by County Clerk.....	9 40	
" "	" " penalty and interest reported by V. Kummer	1 15	
July 6, 1863.	By amount paid to Territorial Treasurer by V. Kummer		141 68
Nov. 18, 1863.	" " " " " "		38 99
	Balance for 1862.....		15 05
July 1, 1863.	To amount of levy for 1863.....	181 75	
	Balance for 1863.....		181 75

RICHARDSON COUNTY.

General Fund.

July 1, 1859.	To amount of levy for 1859.....	613 19	
Aug. 12, 1859.	By amount paid to Territorial Treasurer by Isaac Crook.		200 00
Jan. 8, 1861.	" " " " " "		413 10
July 1, 1860.	To one-third of levy for 1860.....	500 00	
Jan. 8, 1861.	By amount paid to Territorial Treasurer by Isaac Crook		136 85
May 25, 1861.	" " " " " "		204 73
May 22, 1863.	" " " " F. A. Tisdal, Sr		10 14
Nov. 7, 1863.	" " " " " "		34 96
	Balance for 1860.....		63 32
June 11, 1861.	To amount of levy for 1861.....	675 70	
May 20, 1862.	By amount paid to Territorial Treasurer by F. A. Tisdal Sr		34 19
June 19, 1862.	" " " " " "		178 21
Dec. 8, 1862.	" " " " " "		157 01
May 22, 1862.	" " " " " "		21 95
Nov. 7, 1863.	" " " " " "		45 24
	Balance for 1861.....		239 10
June 1, 1862.	To amount of levy for 1862.....	755 11	
Apr. 18, 1863.	By amount paid to Territorial Treasurer by F. A. Tisdal, Sr		94 34
Apr. 21, 1863.	" " " " " "		11 23
May 22, 1863.	" " " " " "		135 44
Sep. 28, 1863.	" " " " " "		150 00
Nov. 7, 1863.	" " " " " "		191 39

FRIDAY, JANUARY 8, 1864.

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Amount reported in hands of County Treasurer, since paid to Territorial Treasurer.....

386 00

Balance for 1862.....

196 71

July 1, 1863. To amount of levy for 1863.....

874 53

Balance for 1863.....

874 53

Sinking Fund.

June 11, 1861.

To amount of levy for 1861.....

450 47

June 16, 1862.

By amount paid to Territorial Treasurer by F. A. Tisdell, Sr

185 00

Dec. 6, 1862.

"

88 50

May 22, 1863.

"

14 56

Sep. 28, 1863.

"

29 02

Balance for 1861.....

183 89

June 1, 1862.

To amount of levy for 1862.....

516 74

May 22, 1863.

By amount paid to Territorial Treasurer by F. A. Tisdell, Sr

187 30

Sep. 28, 1863.

"

379 08

Amount reported in hands of County Treasurer, since paid to Territorial Treasurer.....

82 29

Balance for 1862.....

26 27

July 1, 1863.

To amount of levy for 1863.....

582 01

Balance for 1863.....

506 01

SARPY COUNTY.

General Fund.

July 1, 1859.

To amount of levy for 1859.....

1,604 41

Jan. 2, 1860.

By amount paid to Territorial Treasurer by A. M. Pollock

597 74

Jan. 7, 1861.

"

705 98

June 17, 1861.

"

47 02

Balance due for 1859.....

252 87

No penalty and interest reported.

July 1, 1860.

To one-third of levy for 1860.....

582 61

Jun 7, 1861.

By amount paid to Territorial Treasurer by A. M. Pollock

102 62

June 17, 1861.

"

565 02

Oct. 7, 1861.

"

206 01

Overpaid.....

311 04

Amount reported returned by County Treasurer, \$277 04.

Jun 11, 1861.

To amount of levy for 1861.....

610 84

Oct. 5, 1862.

" of penalty and interest reported by D. Leach....

6 97

Oct. 1, 1862.

By amount paid to Territorial Treasurer by D. Leach....

549 10

Balance for 1861.....

48 71

June 1, 1862.

To amount of levy for 1862.....

554 84

Oct. 5, 1863.

" penalty and interest reported by D. Leach....

4 50

June 15, 1863.

By amount paid to Territorial Treasurer by D. Leach....

151 60

Nov. 5, 1863.

Amount reported in hands of County Treasurer.....

314 17

Balance for 1862.....

91 87

July 1, 1863.

To amount of levy for 1863.....

522 75

Balance for 1863.....

522 75

Sinking Fund.

June 11, 1861.

To amount of levy for 1861.....

407 23

Oct. 5, 1863.

" penalty and interest collected by D. Leach.....

4 47

June 14, 1862.

By amount paid to Territorial Treasurer by D. Leach....

92 73

Oct. 1, 1862.

"

121 78

Nov. 30, 1863.

Amount reported in hands of County Treasurer.....

134 31

Balance for 1861.....

62 88

June 1, 1862.

To amount of levy for 1862.....

369 76

Oct. 5, 1863

To amount of penalty and interest reported by D. Leach

3 00

FRIDAY, JANUARY 8, 1864.

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TERRITORIAL REVENUE.

On Account of General Fund.

For 1859.

CR.

July 1, 1859.	By amount of levy for Board of Equalization.....	\$19 615 47
	“ additions by county officers.....	76 31
	“ penalty and interest collected.....	198 64
	“ excess collected.....	288 64

DR.

To amount paid in by County Treasurer.....	15,888 82
“ remaining in hands of County Treasurer.....	20 24
“ of delinquent taxes for 1859.....	4,261 00

Total for 1859..... \$20,179 06 \$20,179 06

For 1860.

CR.

July 1, 1860.	By one-third of levy by Board of Equalization.....	6,403 88
	By warrants refunded to counties, errors, &c.....	691 68
	By amount of penalty and interest collected.....	19 29
	“ overpayments by counties.....	1,485 18

DR.

To amount received from County Treasurers.....	8,313 33
“ due from counties on account for 1860.....	236 60

Total for 1860..... \$8,549 93 \$8,549 93

For 1861.

CR..

June 11, 1861.	By amount of levy by Board of Equalization.....	\$9,519 32
	“ additions by County Officers.....	755 49
	“ penalty and interest collected.....	222 31

DR.

To amount received from County Treasurers.....	\$7,938 58
“ in hands of County Treasurers.....	302 70
“ of delinquent taxes for 1861.....	2,260 77

Total for 1861..... \$10,497 12 10,497 12

For 1862.

CR.

June 1, 1862.	By amount of levy by Board of Equalization.....	\$9,268 56
	“ additions by County Officers.....	151 41
	“ penalty and interest reported.....	127 58

DR.

To amount received from County Treasurers.....	6,275 12
“ in hands of County Treasurers.....	897 67
“ delinquent taxes for 1862.....	2,374 76

Total for 1862..... \$9,547 55 \$9,547 55

FRIDAY, JANUARY 8, 1864.

For 1863.

CR.

July 1, 1863. By amount of levy by Board of Equalization..... \$10,398 11

DR.

To amount due on account of taxes for 1863..... \$10,398 11

On Account of Sinking Fund.

For 1861.

June 11, 1861. By amount of levy by Board of Equalization.....	\$6,824 65	
" additions to tax list by County Officers....	77 50	
" penalty and interest collected.....	128 35	
To amount received from County Treasurers.....		4,700 86
" in hands of County Treasurers.....		228 62
" of delinquent taxes for 1861.....		2,101 02
Total for 1861.....	\$7,030 50	\$7,030 50

For 1862.

July 1, 1862. By amount of levy by Board of Equalization.....	6,176 60	
" additions to tax list by County Officers...	30 39	
" penalty and interest collected.....	75 24	
To amount received from County Treasurers.....		4,343 90
" in hands of County Treasurers.....		288 24
" of delinquent taxes for 1862.....		1,650 00
Total for 1862.....	\$6,282 23	\$6,282 23

For 1863.

CR.

July 1, 1863. By amount of levy by Board of Equalization..... 6,932 12

DR.

To amount due on account for 1863..... 6,932 12

SUMMARY STATEMENT.

General Fund.

Total amount of taxes levied for 1859, 1860, 1861, 1862, 1863.....	\$55,205 29	
" additions to tax lists by County Officers.....	983 21	
" warrants refunded, errors, &c.....	691 63	
" excess collected and paid to territorial Treasurer.....	238 64	
" overpayments on account for 1860.....	1,435 18	
" penalty and interest reported.....	567 82	
Total amount paid to territorial Treasurer.....		38,410 85
" in hands of County Treasurers.....		1,229 68
" of delinquent taxes.....		9,133 13
" due on account for 1863.....		10,398 11
Total General Fund.....	\$59,171 77	\$59,171 77

FRIDAY, JANUARY 8, 1864.

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Sinking Fund.

Total amount of taxes levied in 1861, 1862, 1863.....	\$19,933 37
“ additions to tax lists by County Officers.....	167 89
“ penalty and interest reported.....	283 59
Total amount paid to Territorial Treasurer.....	9,044 85
“ in hands of County Treasurers.....	518 86
“ of delinquent taxes for 1861 and 1862.....	3,751 02
“ due on account for 1863.....	6,882 12
Total Sinking Fund.....	\$20,244 85

STATEMENT OF GENERAL FUND RECEIVED AND DISBURSED BY TERRITORIAL TREASURER.

Prior to January 1, 1862.

Receipts.

From Burt County.....	214 10
“ Cass “.....	8,104 78
“ Cedar “.....	137 34
Penalty and Interest....	2 88
	140 22
“ Dakota “.....	300 70
Penalty and Interest....	5 00
	305 70
“ Dixon “.....	178 48
“ Dodge “.....	550 11
“ Douglas “.....	7,499 12
“ Gage “.....	50 00
“ Johnson “.....	425 45
“ Nemaha “.....	2,464 48
“ Otoe “.....	3,154 32
“ Pawnee “.....	244 11
“ Platte “.....	55 94
“ Richardson “.....	1,004 77
“ Sarpy “.....	2,194 89
“ Washington “.....	1,397 94
“ J. R. West on account of territorial bonds.....	4,000 00
Total Receipts.....	\$26,984 91

Disbursements.

For Expenses of Collecting Revenue, Mileage, &c.....	463 65
“ Territorial Warrants redeemed.....	24,709 30
“ Interest paid on Warrants, Bonds, &c.....	1,758 87
“ Amount of Certificate on Warrant No 815, charged to Cass m County.....	41 79
“ Amount of Errors charged to Washington county.....	11 80
Total Disbursements.....	\$26,984 91

FRIDAY, JANUARY 8, 1864.

From January 1, 1862, to December 31, 1862, Inclusive.

Receipts.

From Burt	County	\$140 48
" Cass	"	1,123 48
" Cedar	"	77 17
" Clay	"	62 77
" Dakota	"	100 52
" Dixon	"	19 86
" Dodge	"	107 08
" Douglas	"	2,023 93
" Nemaha	"	989 32
" Otoe	"	1,134 93
" Pawnee	"	125 86
" Platte	"	249 07
" Richardson	"	369 41
" Sarpy	"	569 10
" Washington	"	585 95
Total Receipts		\$7,628 85

Disbursements.

For expenses of collecting revenue, mileage, &c.....	\$2 51
" Territorial warrants redeemed.....	6,879 97
" Interest on warrants.....	618 68
" Cash on hand.....	127 69
Total Disbursements.....	\$7,628 85

From January 1st, 1863, to November 30th, 1863, Inclusive.

Receipts:

Cash on hand.....		\$127 69
From Burt County.....	\$100 00	
" " " penalty and interest.....	9 55	109 55
Cass " ".....	1,108 88	
" " " penalty and interest.....	129 82	1,238 70
Clay " ".....		41 89
Dakota " ".....		111 49
Dixon " ".....		62 39
Dodge " ".....		109 46
Douglas " ".....	1,593 83	
" " " penalty and interest.....	60 13	1,653 96
Nemaha " ".....		
" " " penalty and interest.....	22 56	1,136 30
Otoe " ".....		
" " " penalty and interest.....	44 81	1,367 06
Pawnee " ".....		180 58
Platte " ".....		258 54
Richardson " ".....		694 69
Sarpy " ".....		151 60
Washington " ".....		690 84
Total receipts.....		\$7,924 73

Disbursements.

For expense of collecting revenue, mileage, &c.....		\$247 88
For Territorial warrants redeemed..	\$7,728 04	
For less certificates outstanding.....	1,101 90	6,521 14
For interest on warrants.....		990 56
Cash on hand.....		65 20
Total Disbursements		\$7,924 73

FRIDAY, JANUARY 8, 1864.

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STATEMENT OF SINKING FUND RECEIVED AND DISBURSED.

From January 1st, 1862, to December 31st, 1862. inclusive.

Receipts.

From Burt County	\$130 00
" Cass "	575 00
" Clay "	25 80
" Dixon "	21 55
" Dodge "	60 00
" Douglas "	982 61
" Nemaha "	529 12
" Otoe "	806 21
" Pawnee "	89 40
" Platte "	180 71
" Richardson "	278 50
" Sarpy "	214 51
" Washington "	844 15

Total Receipts.....\$4,132 61

Disbursements.

For expense of collections.....	\$ 38 85
For interest paid on territorial bonds.....	871 29
Cash on hand.....	8,222 07

Total Disbursements.....\$4,132 61

From January 1st, 1863, to November 30th, 1863, inclusive.

Receipts.

Cash on hand.....	\$8,222 07
From Burt County	18 72
" Cass "	677 50
" Clay "	27 80
" Dixon "	28 24
" Dodge "	50 00
" Douglas "	\$1,022 97
" " " penalty and interest.....	82 02 1,054 99
" Nemaha "	758 89
" " " penalty and interest.....	15 00 778 89
" Otoe "	889 157
" " " penalty and interest.....	24 80 864 87
" Pawnee "	100 00
" Platte "	180 67
" Richardson "	301 76
" Sarpy "	325 20
" Washington "	305 00
" Discount on territorial bonds redeemed.....	871 00

Total Receipts.....\$8,506 21

Disbursements.

For expense of collections.....	\$ 115 58
For warrants, collections, advertising, &c.....	95 90
For territorial bonds redeemed.....	2,000 00
For interest on bonds.....	1,952 22
Cash on hand.....	4,842 51

Total Disbursements.....\$8,506 21

FRIDAY, JANUARY 8, 1864.

STATEMENT OF SCHOOL FUND, RECEIVED AND DISBURSED.

Receipts.

From Burt county, Oct. 8d, 1861.....	\$ 88 08
From W. E. Harvey, Auditor, proceeds of sale of cast iron, from Capitol building, Sept. 12th, 1863.....	940 92
Total Receipts.....	\$978 95

Disbursements.

For apportionment paid Richardson county.....	\$ 11 28
Cash on hand.....	967 72
Total disbursements and cash on hand.....	\$978 95

STATEMENT OF TERRITORIAL BONDS ISSUED PURSUANT TO ACT OF JANUARY 11TH, 1861, AND REPORTED BY SECRETARY OF THE TERRITORY.

Total amount of bonds issued..... \$33,000 00

Indebtedness Funded.

F. R. West, bond cancelled.....	\$4,000 00
Interest on the same.....	3,854 41
Warrants cancelled.....	20,518 98
Interest on the same.....	5,181 66
Total amount funded.....	\$33,000 00

Recapitulation.

<i>Receipts.</i> General fund to January 1st, 1862.....	\$26,984 91
Indebtedness paid to January 1st, 1862.....	26,984 91
<i>Receipts.</i> General fund from January 1st, 1862, to November 30th, 1863.....	\$15,425 94
<i>Receipts.</i> Sinking fund from January 1st, 1862, to November 30th, 1863.....	9,415 85
<i>Receipts.</i> School fund to November 30th, 1863.....	978 95
Total amount of Receipts.....	\$25,820 74

Indebtedness Paid and Cancelled.

By General Fund from January 1st, 1862, to November 30th, 1863.....	\$15,360 69
By Sinking Fund from January 1st, 1862, to November 30th, 1863.....	5,073 34
By apportionment out of School Fund.....	11 28
Total amount of indebtedness paid.....	\$20,445 26
Cash on hand in Treasury.....	5,875 48
Total amount of warrants paid and cancelled.....	\$38,210 69
Total amount of interest paid.....	6,190 48
Total amount of bonded debt.....	\$37,000 00
Amount of bonded debt paid and cancelled.....	6,000 00
Balance of bonded debt.....	\$31,000 00

TREASURER'S REPORT.

OFFICE OF TERRITORIAL TREASURER,
Omaha, N. T., Dec. 1863.

To the Hon. Council and House of Representatives of the Territory of Nebraska:

In pursuance of Law, I have the honor to submit my report upon the condition of the Territorial Treasury, and to offer a few suggestions which I deem not unimportant for your consideration.

On taking charge of the office, two years ago, I found but few books, and those in such condition that I deemed it necessary to open a new set. Accordingly I procured the necessary books, and after much labor spent in the examination of the confused mass of warrants and papers in the office, succeeded in opening a set of accounts which show at a glance the exact financial condition of the Treasury; and, more important, the exact condition of every warrant that has been issued, whether paid, partially paid, or still afloat. This work being extra, on account of the neglect of others, and deeming it of the utmost importance, I employed an assistant, who, after much time and labor, accomplished the work; and I would recommend that the Legislature appropriate such sum as will recompense my assistant for his services.

Since taking charge of the Office on the 1st of January, 1862, there has been paid into the Treasury, General Fund Account, \$15,425.94, Sinking Fund, \$9,415.85, School Fund, \$978.95, disbursed as follows:

In the redemption of Territorial Warrants	\$13,501 11	
In the payment of Interest on Warrants	1,600 24	
In expenses of collecting Revenue	250 89	
Leaving cash on hand	65 20	\$15,425 94
Total Sinking Fund received in same time		9,415 85
(which includes \$371 discount on Territorial bonds) which has been applied as follows:		
In redemption of Territorial Bonds	2,000 00	
In payment of Interest on Bonds	2,823 51	
In payment of Warrants for collection fees, advertising, &c.	95 90	
In payment of expense collecting Sinking Fund	153 93	
Leaving cash on hand	4,342 51	9,415 85
Territorial School Fund, in same time		978 95
Of which there has been paid to Richardson County	14 23	
Leaving cash on hand	967 72	978 95

The issuance of certificates for unpaid balances, on warrants by County Treasurers, has a bad influence. It gives a useless and annoy-

ing amount of labor to both County and Territorial Treasurers, and opens a wide door for fraud. The whole system should be abolished.

Under existing laws, the surety given by the Territorial Auditor is quite insufficient, unless further restrictions will be placed on his acts. As the case now stands, he can issue Territorial Warrants with perfect impunity, either one thousand or one hundred thousand dollars, for which account the Territory would be held equally responsible whether issued for legislative purposes or not. As a remedy, I suggest that of specific appropriations, which have heretofore been presented to the Legislature, and should you, as I trust you will, consider the subject of sufficient importance to engage your attention, and secure the passage of an appropriation bill for each item of needful expense, much might be saved, and much of the labor of the Treasurer lightened; and should you adopt the system of passing specific appropriation bills, it would, in my opinion, be well to provide that all of the Territorial taxes levied shall be paid in money, and then, after reserving sufficient to meet the amount of the appropriations, appropriate the balance to the payment of outstanding warrants, at the Treasury, to the lowest bidder, as in the case of bonds.

The law makes it one of the duties of the Territorial Treasurer to apportion the Territorial School Fund. In 1862 an apportionment was made of the amount levied in 1860 and 1861, as the only way that it could be made, as I was unable to ascertain the amount collected in the several counties. This year the apportionment went by default, for the same reason, and further, because I could not ascertain the amount levied in all the counties, some of them having failed to send either an abstract of assessments for the Board of Equalization to make a levy upon, or to report the amount placed upon their tax duplicates. I would suggest that the law be so amended as to require the payment of the School Fund into the Territorial Treasury, and the apportionment made upon the amount collected and paid in, with appropriate penalties for neglect to pay over by the County Treasurer, and the amounts heretofore levied in the several Counties be confirmed to the Counties in which levied.

I also respectfully call the attention of the Legislature to the insufficiency of the salaries and fees paid to Officers for services connected with the Revenue system. A case recently came to my notice in which a County Treasurer traveled 160 miles, with his own team, and in consequence of bad weather and other unavoidable delay, he was some twelve days in reaching the Capitol. His expenses on the way were over \$25.00 and he received but \$16.00 for mileage, and \$6.20 for collection fees, making a net loss of \$2.80, to say nothing of expenses incurred on his return home.

Of the salary paid the Territorial Treasurer, it is only necessary to call your attention to the fact that it is only \$200. An exhibit of the amount of labor that is necessary to be performed in the legitimate duties of the office, is only necessary to satisfy you that the salary is inadequate to compensate for services and responsibilities connected with the office.

A. KOUNTZE, *Ter. Treasurer.*

COUNCIL CHAMBER,

Saturday, Jan. 9, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Clark, of Sarpy.

Journal read and approved.

Mr. Mason moved that Archie Powell be elected page of the council.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Doom, Mason, McCormick, Porter and Welch—7.

Nays—Messrs. Jackson, Little and Marquette—3.

Master Powell having received seven votes was declared duly elected.

On motion of Mr. Butler, the sergeant-at-arms was granted a leave of absence until Monday next.

The committee appointed to wait on the secretary in reference to postage, made the following report through their chairman, Mr. Little:

Your committee to confer with the secretary in regard to the postage of members, begs leave to report that the secretary is authorized to allow seventy-five dollars for the postage of members of the council. The postmaster will keep an account of each member's mail.

Mail matter to be franked in the usual manner.

J. E. DOOM.

W. A. LITTLE.

Mr. Doom offered the following resolution:

Resolved, That a select committee of three be appointed to inquire whether any person or persons are issuing bank notes without proper authority. Said committee to have power to send for persons and papers, and to report by bill or otherwise.

Resolution laid over under the rules until next Monday.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Marquette gave the following notices:

T. M. Marquette hereby gives notice that he will on to-morrow, or on some future day, introduce a bill to provide for the taking of the vote of the soldiers, residents of this Territory, and who may be absent from their respective places of abode at the time of holding elections in our Territory; and also a bill to provide for a general railroad law.

Mr. Butler gave the following notice:

I hereby give notice that on to-morrow, or some future day, I will

introduce a bill to reapportion the council districts and define the boundaries thereof.

Also.

A bill to incorporate the Nemaha Valley Seminary and Normal Institute, located at Pawnee City, Pawnee county, Nebraska Territory.

Also.

A bill to repeal an act entitled an act in relation to road tax in certain counties, approved January 9, 1862, so far as the same relates to the counties of Richardson, Gage, Jones, Clay and Johnson.

Mr. Doom gave notice that he would on to-morrow, or some future day, introduce a bill to provide a road fund, and for other purposes.

Also.

A bill to incorporate the Plattsmouth Ferry Company.

Also.

A bill to amend an act to provide an estray law.

Mr. Fisher gave notice that he would on some future day introduce a bill to incorporate the Walnut Grove Cemetery.

Mr. Mason gave the following notice:

I hereby give notice that on to-morrow, or at some future day, I will introduce a bill to regulate the practice and proceedings in chancery, in the Territory of Nebraska.

Mr. Jackson gave notice as follows:

I give notice of a bill which I will introduce at an early day, repealing an act granting a charter to the Sioux City Ferry Company.

Mr. Doom gave the following notice:

I will on to-morrow, or some future day, introduce a bill for the relief of the families of the volunteers in the army from the Territory of Nebraska.

Mr. Mason gave notice that he would at some future day introduce a bill to repeal sections 67 and 68 of an act to provide for the valuation and assessment of real estate and personal property, and for levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

Mr. Fisher gave notice that he would at some future time introduce a bill to enable citizens to vote for or against a law to restrain cattle and other animals from running at large in each precinct in the Territory.

On motion of Mr. Marquette, the council adjourned until Monday next, 10 o'clock A. M.

COUNCIL CHAMBER,
Monday, Jan. 11, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Clark, McCormick and Welch.

Journal read and approved.

PETITIONS.

Mr. Campbell introduced a petition from G. B. Osborn and others, desiring a herd law.

Mr. Jackson, of Dakota, presented a petition from Geo. A. Hale and others, asking for a charter for a ferry across the Missouri river opposite Yankton, Dakota Territory.

Mr. Doom's resolution, which was introduced on Saturday last, was taken up and read.

Mr. Marquette moved its adoption.

Lost.

Mr. Campbell moved that the resolution be laid on the table.

Carried.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Jackson gave the following notice:

I give notice of a bill which I will introduce to-morrow, or some future day, granting to Saby Strohm, a ferry charter on the Missouri river, opposite Yankton, Dakota Territory.

Mr. Marquette gave the following notice:

I hereby give notice that I will on some future day, introduce a bill to amend certain portions of the code of civil procedure of this Territory.

Mr. Fisher gave notice that he would introduce a bill on some future day to provide for fees for county officers.

Mr. Jackson offered the following resolution:

Resolved, That the ex-president of the council, Major Taffe, be, and is hereby invited to take a seat within the bar.

Carried.

Mr. Little, on leave, introduced a bill for a charter for Dean C. Slader, Jacob R. Lewis and John R. Meredith, to keep a mill-dam across the Papillion.

Read first time.

Mr. Jackson, on leave, introduced a bill for a ferry charter across the Missouri river, opposite Yankton, Dakota Territory, in favor of Saby Strohm,

Bill read first time.

Mr. Doom introduced a bill for an act to provide a road fund and for other purposes.

Read first time.

Mr. Fisher, of Nemaha, introduced a bill for an act to incorporate the Walnut Grove Cemetery Association, at Brownville, Nebraska Territory.

Mr. Mason introduced the following resolution:

Whereas, A petition has been circulated for the signatures of members of the council and house of representatives, requesting the senate of the United States to confirm E. S. Dundy as associate justice of the supreme court of the Territory of Nebraska, therefore,

Resolved, *By the Council of the Territory of Nebraska*, That E. S. Dundy ought not to be confirmed as associate justice of the supreme court of the Territory of Nebraska.

On motion of Mr. Little, the council adjourned until to-morrow at 10 o'clock A. M.

COUNCIL CHAMBER,

Tuesday, Jan. 12, 1864. }

Council met pursuant to adjournment.

President in the chair,

Prayer by the chaplain.

Roll called.

Absent—Messrs. Clark, Little and McCormick.

Journal read and approved.

Standing committees announced as follows:

ON THE JUDICIARY.

Messrs. Marquette, Mason and Little.

ON FINANCE, WAYS AND MEANS.

Messrs. Doom, McCormick and Porter.

ON EDUCATION.

Messrs. Campbell, Jackson and Fisher.

ON FEDERAL RELATIONS.

Messrs. Butler, Little and Marquette.

ON MILITARY AFFAIRS.

Messrs. Mason, Jackson and Clark.

ON HIGHWAYS, BRIDGES AND FERRIES.

Messrs. McCormick, Welch and Fisher.

ON EXPENDITURES.

Messrs. Porter, Campbell and Doom.

ON INCORPORATIONS.

Messrs. Jackson, Butler and Little.

ON TERRITORIAL LIBRARY.

Messrs. Fisher, Porter and Marquette.

ON PUBLIC BUILDINGS.

Messrs. Clark, Butler and McCormick.

ON ELECTIONS.

Messrs. Mason, Jackson and Welch.

ON COUNTIES.

Messrs. Welch, Clark and Campbell.

ON PRINTING.

Messrs. Little, Mason and Doom.

ON AGRICULTURE.

Messrs. Fisher, Porter and Doom.

ON ENROLLED AND ENGROSSED BILLS.

Messrs. Butler and Campbell.

RESOLUTIONS.

Mr. Welch introduced the following resolution:

Resolved, That the committee on ways and means, be instructed to report a bill to this house, appropriating specific sums for territorial expenses, in accordance with the plan suggested in the governor's message.

Laid over under the rules until to-morrow.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Butler gave notice that he would on some future day introduce a bill to incorporate the Pawnee City Cemetery.

Mr. Mason gave notice that he would on some future day introduce a bill entitled, an act to revise an act for the valuation and assessment of personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

Mr. Mason introduced a bill (of which he had given previous notice) in regard to a bill for an act to amend an act for the election of clerks of election.

Read first time.

Read a second time and referred.

Mr. Doom introduced a bill to amend the estray law.

Read first time.

Read a second time by its title, and referred to committee on agriculture.

Mr. Marquette introduced a bill to enable volunteers and militia of the Territory of Nebraska to vote.

Read first time.

Read second time by its title, and referred to the appropriate committee.

Mr. Mason introduced a bill for the repeal of certain sections of an act to provide for the valuation and assessment of taxes, &c.

On motion, the bill was laid upon the table.

On motion of Mr Campbell, the bill to enable volunteers the right of suffrage was referred to a select committee.

Messrs. Butler, Little and Marquette, were appointed such committee.

Council bill No. 7. An act for defining the duties of judges and clerks of election.

Read first time.

Rules suspended, bill read a second time by its title, and

On motion of Mr. Little, the bill was referred to the committee on elections.

Council bill No. 9.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on agriculture.

The chief clerk of the house appeared with the following communication to the council:

HOUSE OF REPRESENTATIVES,
January 12, 1864.

Mr. President:

I am instructed to inform your honorable body, that Messrs. Renner, Gantt and Fairbrother, of the house, have been appointed a committee to confer with a like committee from the council, relative to joint rules.

RIENZI STREETER, *Chief Clerk.*

On motion of Mr. Marquette, a committee of two was appointed to confer with a like committee from the house, on joint rules.

Messrs. Marquette and Butler were appointed such committee.

Mr. McCormick, by leave, introduced council bill No. 10, of which previous notice had not been given, and by unanimous consent, the same was

Read first and second time by its title, and referred to the appropriate committee.

On motion of Mr. McCormick, the chief clerk was authorized to procure the printing of the usual number of the copies of council bill No. 10.

Mr. Butler offered the following amendment:

That a like number of the bill for granting the right of suffrage to volunteers, be included.

Amendment accepted, and printing ordered.

Council bill No. 3 was read by its title, and referred to its appropriate committee.

Council bill No. 1. Read a second time by its title, and referred to committee.

Council bill No. 2. Read a second time by its title, and referred to committee.

Council bill No. 4. Read a second time by its title, and referred to a select committee of three.

Messrs. Butler, Marquette and Porter were appointed such committee.

Council bill No. 5. Read a second time by its title, and referred to the committee on incorporations.

The resolution in regard to Judge Dundy, taken up.

Laid over under the rules.

The petitions of citizens of Otoe county, in relation to a herd law, was referred to the committee on agriculture.

On motion of Mr. Marquette, the council adjourned until 10 o'clock to-morrow, A. M.

COUNCIL CHAMBER,

Wednesday, January 13, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Fisher.

On motion of Mr. Little, and upon the presentation of the proper credentials, Hon. Henry T. Clark, of Sarpy county, was admitted as a member of the council.

On motion of Mr. Butler, a committee of two was appointed to wait upon the secretary and request him to administer the oath of office to Mr. Clark.

Messrs. Butler and Welsh were appointed such committee.

The secretary, Hon. A. S. Paddock, appeared and administered the oath of office to Mr. Clark.

Journal of Tuesday read and approved.

On motion of Mr. Doom, the council proceeded to the election of engrossing clerk.

The following gentlemen were put in nomination:

Z. Jackson, B. B. Barkalow and Mr. Robinson.

Clerk ordered to call the roll.

Roll called—Jackson received seven votes, being a majority of all the votes cast, was declared duly elected.

On motion of Mr. Campbell, the council proceeded to the election of the enrolling clerk.

J. K. Smith and B. B. Barkalow were nominated.

Roll called—no one receiving a majority, a second vote was taken with the following result:

J. K. Smith received seven votes, and that being a majority of all the votes cast, he, therefore, was declared duly elected enrolling clerk of the council.

On motion of Mr. Clark, a committee to wait upon the secretary of the Territory with the newly elected officers, and request said secretary to administer the oath of office to such officers.

Mr. Clark was appointed such committee.

On motion of Mr. Mason, a committee of two was appointed from the council to act with a like committee of the house, to inquire in regard to an act to allow the funding of the indebtedness of the Territory of Nebraska, as found on page 128 of the laws of 1860, and the destruction of cancelled warrants, &c., with leave to report by bill or otherwise.

Messrs. Mason and Little were appointed such committee.

Mr. Jackson, as chairman of the committee on incorporations, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 10, a bill for an act to create and regulate railroad companies, beg. leave to report the same back and recommend its passage.

A. H. JACKSON,
D. BUTLER,
W. A. LITTLE.

Mr. Mason, as chairman of the committee on elections, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 7, a bill for an act entitled an act to amend section first, of an act providing for the election of judges and clerks of election and defining their duties, approved January 10, 1862, beg leave to report the following amendments to said bill:

After the words "be amended," insert "and is hereby amended," and recommend the passage of said bill.

Mr. Doom, as chairman of the committee on finance, ways and means, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 3, beg leave to report the following amendments, and recommend the passage of the bill.

SEC. 5. The supervisor in his annual settlement with the county commissioners, state by whom work was done, from whom he has received any moneys, for what purpose, to whom and for what purpose expended.

J. E. DOOM,
JOHN MCCORMICK,
JOHN R. PORTER.

Mr. Butler, chairman of the select committee on council bill No. 4, a bill for an act to apportion and define councilman districts, submitted the following report:

Mr. President:

Your select committee, to whom was referred council bill No. 4, a bill for an act to apportion and define councilman districts, having had the same under consideration, would recommend the following amendments, that the sixth section be amended to read as follows:

SEC. 6. The county of Cass shall constitute the sixth district, and shall be entitled to one member.

A new section called section seventh, shall be made to read as follows:

The counties of Cass, Lancaster, Saline and Seward, shall constitute the seventh district, and be entitled to one member.

Section seven be amended so as to read section eighth, and section eighth be known as section nine, and nine as ten, and ten as eleven, and eleven as twelve, and twelve as thirteen.

Also,

The word seven in the seventh section be stricken out and the word eighth inserted; the word eighth in the eighth section and the word ninth inserted; the word ninth in the ninth section be stricken out and the word tenth inserted; and the word tenth in the tenth section stricken out and the word eleventh inserted.

With the above amendments, a majority of your committee report the same back to the council and recommend its passage.

DAVID BUTLER,
T. M. MARQUETTE.

The resolution of Mr. Welch, which was introduced yesterday, in regard to instructing the committee on ways and means to report a bill appropriating specific sums for territorial expenses, was taken up.

Mr. Marquette moved its adoption.

Lost.

On motion of Mr. Mason, the resolution was referred to the committee on ways and means.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Campbell gave notice that he would, on some future day, introduce a bill to amend an act entitled an act respecting elections, approved January 10, 1862.

Mr. Mason introduced council bill No. 11, of which previous notice had been given. A bill for an act to revise an act to provide for the valuation and assessment of the real and personal property, and for levying and collection of taxes in the Territory of Nebraska, approved January 11, 1861.

Read first time.

Rules suspended, bill read a second time, and referred to committee on ways and means.

Mr. Doom introduced council bill No. 12. A bill for an act to incorporate the Plattsmouth Ferry Company.

Read first time.

Mr. Doom moved that it be read a second time by its title, and referred to the proper committee.

Objected to.

Mr. Welch introduced council bill No. 13. A bill to provide an iron safe for the auditor's office.

Read first time.

Rules suspended, read a second time, and referred to committee on finance, &c.

Mr. Jackson introduced a joint resolution and memorial to congress, praying for an act enabling Nebraska Territory to become a State.

Read first time.

Rules suspended, read a second time, bill referred to the committee on federal relations.

On motion of Mr. Mason, Mr. Campbell was excused from attendance at the council till a week from next Monday, on account of sickness in his family.

Mr. Jackson moved the report of the committee on council bill No. 10, be adopted.

Mr. Mason, of Otoe, objected.

On motion of Mr. Jackson, council bill No. 10 was made the special order of business for to-morrow, at 11 o'clock A. M.

On motion of Mr. Marquette, the council resolved itself into a committee of the whole, to take into consideration the governor's message.

The committee, after having the same under consideration, made the following report, through their chairman, C. P. Mason:

Mr. Marquette moved that all that portion of the governor's message relating to making provisions for granting the right of suffrage to our soldiers, now in the army of the United States, be referred to the same select committee to which the bill relating to that subject was referred.

That portion relating to homesteads, to committee on federal relations.

That in reference to Pacific Railroad, be referred to committee on incorporations.

That portion relating to a geological survey, to committee on federal relations.

That which relates to the finance, to the committee on finance, ways and means; also, that in regard to appropriation.

That which relates to schools, to the committee on schools.

That in reference to State government, to the committee on federal relations.

That which relates to the insane, to the committee on education.

That which relates to the penitentiary, to the committee on public buildings.

That which refers to appropriating certain sums for the arresting of criminals, to be referred to the committee on expenditures.

That portion relating to the re-apportioning the council and house of representatives of the Territory, referred to the committee on elections.

That relating to codifying the laws, to the committee on the judiciary.

That in reference to the military, to the committee on military affairs.

That relating to the late war with the Indians, to the same committee.

That which refers to the support of the federal government, referred to committee on federal relations.

That relating to agriculture, to the committee on agriculture.

On motion, the report of the committee of the whole was adopted.

After which, on motion, the council adjourned till to-morrow, at 10 A. M.

COUNCIL CHAMBER,

Thursday, January 14, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Butler, Campbell, Clark and McCormick.

Journal read and approved.

REPORTS OF THE STANDING COMMITTEES.

Mr. John R. Porter gave a minority report on council bill No. 4, as follows:

Mr. President:

The minority of your committee, to whom was referred council bill No. 4, entitled a bill for an act to apportion and define councilman districts, has had the same under consideration, and report the same back with the following amendments:

Add after section eleven, the following:

SEC. 12. That at the time of making the assessment for the purpose of taxation, in the spring or summer of A. D. 1865, the precinct assessors of the several precincts in this Territory shall each make and return a full list of the inhabitants residuary in their several precincts, to the county clerk of their respective counties, which said list shall be made and returned as soon as said assessment is completed. An abstract of such lists shall, immediately upon the receipt of the same from said assessors, be by said several county clerks transmitted to the territorial auditor.

SEC. 13. That the governor, auditor and secretary of this Territory shall constitute a board of canvassers to canvass said returns and ascertain the number of inhabitants in each of the counties in the Territory.

SEC. 14. This act shall be in force until the first day of May, A. D. 1866, but no longer, and shall then expire of its own limitation.

SEC. 15. That if the legislature next convening, after such census shall have been taken and canvassed as aforesaid, shall fail to make a new apportionment for members of the council and house of representatives of this Territory, then it shall be the duty of the governor of this Territory to apportion the council and representative districts, as nearly equal as practicable, taking said census returns as the basis for representation.

SEC. 16. All acts and parts of acts, and apportionments for councilman districts, conflicting with the provisions of this act, are hereby repealed.

SEC. 17. This act to take effect and be in force from and after its passage, until the same shall expire of its own limitation, as herein provided.

JOHN R. PORTER.

Mr. Doom, chairman of the committee on ways and means, made the following report:

Mr. President:

Your committee, to whom was referred the resolution directing the committee on ways and means to report an appropriate bill, would respectfully report the same back without amendment, and recommend its adoption.

J. E. DOOM,
J. R. PORTER.

The resolution again referred to committee on finance, ways and means.

NOTICE OF BILLS.

Mr. Mason gave notice that he would, at some future day, introduce a bill for an act to repeal an act to provide for special terms of the supreme court, approved January 11, 1861.

Also,

A bill for an act to amend section 310 of the civil code, and to amend section first of an act to amend the code of civil procedure, approved January 11, 1861.

Also,

A bill to incorporate Frontier Lodge No. 3, of the Independent Order of Odd Fellows, located at Nebraska City, Otoe county, and Territory of Nebraska.

Mr. Fisher gave notice that he would, at some future day, introduce a bill to encourage the growth of timber.

Mr. McCormick, chairman of the committee on highways, bridges and ferries, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 2, a bill granting to Saby Strohme a charter for a ferry across the Missouri River, opposite Yankton, Dakota Territory, beg leave to refer the same back to the council and recommend its passage.

JOHN MCCORMICK,
FRANK WELCH,
T. K. FISHER.

BILLS ON SECOND READING.

Council bill No. 12.— An act to incorporate the Plattsmouth Ferry Company.

Read a second time by its title, and referred to committee on highways, bridges and ferries.

The bill was so referred.

On motion of Mr. Mason, the committee, to whom was referred council bill No. 12, were instructed to inquire whether there is not a general law now in force providing for the chartering of ferries, by the county commissioners, sufficiently liberal in its provisions, to

answer all practical purposes; and, also, whether there has not been a charter granted at a previous session of the legislative assembly of Nebraska, covering the same ground as that proposed by this bill referred to them.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
Thursday, January 14, 1864. }

Mr. President:

I am instructed to inform your honorable body that the house has adopted the following:

That a committee of three on the part of the house be appointed by the speaker, to act with a similar committee on the part of the council, for the purpose of examining the books of the treasurer, and cancelling the warrants in his possession, and that the clerk notify the council of the action of the house; and the house have appointed thereupon, Messrs. Renner, Todd and Lash, and respectfully ask your concurrence.

RIENZI STREETER, *Chief Clerk.*

The hour for taking up council bill No. 10, having arrived,

On motion of Mr. Marquette, council resolved itself into a committee of the whole, to take into consideration council bill No. 10, a bill for an act to create and regulate railroad companies.

Mr. Marquette in the chair.

The committee arose and made the following report, through their chairman:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 10, a bill for an act to create and regulate railroad companies, have had the same under consideration, and instruct me to report it back with the amendments attached thereto, and recommend the adoption of the amendments as amended by the committee of the whole.

T. M. MARQUETTE.

On motion, the report of the committee of the whole was adopted.

Mr. Butler, by leave, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 13, memorial and joint resolution, would submit the following substitute.

D. BUTLER.

On motion, the report was adopted.

On motion of Mr. Little, the substitute as presented by Mr. Butler was read a third time by its title, and put upon its passage.

Bill passed and title agreed to.

On motion, the council adjourned till 10 o'clock A. M., to-morrow.

COUNCIL CHAMBER,

Friday, Jan. 15, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Campbell, McCormick and Clark.

Journal read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Fisher, chairman of standing committee on agriculture, submitted the following report:

To the Honorable Council:

Your committee, to whom was referred council bill No. —, a bill to provide for an estray law, having had the same under consideration, report it back to the council with the following amendments, and respectfully recommend its passage:

After section 2 insert sections 3, 4 and 5, as attached to the bill.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Marquette gave notice that he would on some subsequent day introduce a bill to amend section 19th of an act entitled an act in relation to the time of commencing civil actions, approved December 30th, 1861.

Also,

That he will introduce a bill in relation to the terms of office of county and precinct officers.

Mr. Little gave the following notice:

Mr. President:

I hereby give notice that I will on to-morrow, or some subsequent day, introduce a bill for an act to amend the second section of an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29, 1860.

W. A. LITTLE.

Mr. Mason introduced council bill No. 15 and council bill No. 16, of which previous notice had been given.

Mr. Doom introduced council bill No. 17, of which previous notice had been given.

BILLS ON FIRST READING.

Council bill No. 15. Read first time.

Council bill No. 16. Read first time.

Council bill No. 17. Read first time.

On motion, council bill No. 17 was read a second time by its title and referred to the appropriate committee and ordered printed.

On motion, council bill No. 3 was laid on the table till called for.

On motion of Mr. Mason, council went into a committee of the whole for the consideration of council bill No. 2.

Mr. Jackson in the chair.

The council having resumed business,

Mr. Jackson, chairman of the committee of the whole, submitted the following report:

Mr. President:

The committee of the whole, to whom was referred council bill No. 2, beg leave to submit the following report: That the bill be amended by striking out the enacting clause and all following thereafter.

On motion of Mr. Mason, the report of the committee of the whole was adopted.

Call of the council.

Messrs. McCormick and Porter absent.

On motion, the Sergeant-at-arms was dispatched after the absentees.

On motion, all further proceedings under the call were dispensed with.

On motion of Mr. Mason, the council resolved itself into a committee of the whole, having under consideration council bill No. 4. A bill for an act to apportion and define council districts.

Mr. Butler, of Pawnee, in the chair.

The council having resumed business,

Mr. Butler, chairman of the committee of the whole, submitted the following report:

Mr. President:

The committee of the whole, to whom was referred council bill No. 4, have had the same under consideration, and beg leave to report the same back with the accompanying amendments, and recommend its passage.

D. BUTLER, *Chairman.*

On motion of Mr. Marquette, council bill No. 4, a bill for an act to apportion and define the council districts, was engrossed and put upon its third reading and passage to-morrow.

On motion of Mr. Welch, Messrs. Marquette and Doom were granted leave of absence until Monday.

Mr. Fisher moved that the council adjourn till to-morrow at 2 o'clock.

Lost.

On motion of Mr. Porter, the council adjourned till Monday at 10 o'clock A. M.

COUNCIL CHAMBER,
Monday, January 18, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Clark, Doom, Jackson, Campbell, Marquette and McCormick.

Journal read and approved.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
January 18, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house have passed house file No. 27. A bill for an act to change and re-define the boundaries of Hall county.

Also,

House file No. 8. A bill for an act to amend section 2 of an act entitled an act supplemental to an act entitled an act to establish a code of civil procedure, approved Nov. 4, 1858.

Also,

House file No. 6. A bill for an act to repeal an act entitled an act to repeal an act to locate a territorial road from Nebraska City to Brownville, approved December 30th, 1861.

Also,

House file No. 2. A bill for an act to apportion the members of the house of representatives of the Territory of Nebraska, and the concurrence of the council is respectfully requested.

Also,

Council bill No. 13. A memorial and joint resolution relative to state government, is herewith returned, the same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

On motion of Mr. Mason, Mr. H. H. Waters was elected enrolling clerk of the council.

PETITIONS.

Mr. Butler presented a petition from Louisa O. Worden, praying for a bill of divorce from Mr. F. G. Worden, with the names of James Ayers and twenty-two others corroborating the statements made in said petition.

Referred to a committee on the judiciary.

REPORTS OF COMMITTEES.

The committee on engrossed and enrolled bills submitted the following report, through its chairman:

Mr. President:

Your committee on enrolled and engrossed bills have examined council bill No. 4, and find it correctly engrossed.

D. BUTLER, *Chairman.*

RESOLUTION.

Mr. Mason offered the following:

Resolved, That the committee on the judiciary be instructed to inquire into the propriety of so amending the law relating to the acknowledgment of deeds, as to make the certificate and seal of all notaries public in the usual form, sufficient and valid to entitle the deed to record in the respective recorder's offices of this Territory, when such acknowledgment is taken without this Territory of Nebraska, with leave to report by bill or otherwise.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Little introduced council bill No. 18. A bill for an act to amend section 2 of an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29, 1860.

Read first and second time and referred to committee on public buildings.

Mr. Mason introduced council bill No. 19. A bill for an act to amend the code of civil procedure.

Read first time.

Rules suspended, read a second time by its title, and referred to committee on the judiciary.

Mr. Butler, chairman of the select committee, council bill No. 6, on leave, introduced the following report:

Mr. President:

Your select committee, to whom was referred council bill No. 6, have had the same under consideration, and would beg leave to report the same back without amendment, and recommend its passage.

D. BUTLER, *Chairman.*

On motion of Mr. Mason, council bill No. 6 was recommitted to committee on the judiciary.

On motion, council bill No. 15 was read a second time, and referred to committee on corporations.

On motion, council bill No. 16 was read a second time, and referred to committee on the judiciary.

Mr. Little, of Douglas, moved that council bill No. 4, be recommitted to a select committee of three with instructions to report the following

in lieu of section 14, with their opinion as to the propriety of amending said section as follows:

Sec. 14. This act shall take effect and be in force from and after its passage, until the close of the session of the legislature of the Territory, or the future state of Nebraska, next convening after the first day of June, A. D. 1865, but no longer, and shall then expire of its own limitation.

Ayes and nays demanded.

Ayes—Messrs. Jackson, Little, McCormick, Porter and Welch—5.

Nays—Messrs. Butler, Fisher and Mason—3.

Motion carried.

Messrs. Little, Butler and Welch were appointed such committee.

House file No. 27 was read first time.

Rules suspended, bill read a second time by its title, and referred to committee on counties.

House file No. 2 read first time.

Rules suspended, bill read a second time by its title, and referred to committee on elections.

House file No. 8 read first time.

Rules suspended, bill read a second time by its title, and referred to committee on judiciary.

House file No. 6 read first time.

On motion of Mr. Mason,

The rules were suspended, the bill read the second time by its title, and referred to a select committee of three.

Messrs. Mason, Fisher and Jackson were appointed such committee.

On motion of Mr. Butler,

The council resolved itself into a committee of the whole to take into consideration council bill No. 10, a bill for an act to create and regulate railroad companies.

Mr. Butler, of Pawnee, in the chair.

The council having resumed business,

Mr. Butler, chairman of the committee of the whole, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 10, a bill for an act to create and regulate railroad companies, have instructed me to report the same back to the council with accompanying amendments.

D. BUTLER, Chairman.

On motion of Mr. Mason, the report of the committee of the whole was adopted.

On motion, the bill was ordered engrossed.

Mr. Jackson gave the following notice, on leave:

I hereby give notice that I will to-morrow, or some subsequent day, introduce a bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859.

Mr. Mason, on leave, introduced council bill No. 20. A bill for an act to amend section fourteen of an act regulating the fees and salaries of certain officers, approved January 9, 1861.

Mr. Little, by leave, introduced council bill No. 21, a bill for an act to protect sheep.

Mr. Jackson, on leave, introduced council bill No. 22, a bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859.

The President announced that the oath of office had been duly administered to W. H. H. Waters, as enrolling clerk.

On motion of Mr. Little, the council adjourned till 10 o'clock to-morrow A. M.

COUNCIL CHAMBER,
Tuesday, January 19, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Fisher, Little and McCormick.

Journal read and approved.

REPORTS FROM STANDING COMMITTEES.

Mr. Butler, from Pawnee, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills have examined council bill No. 13, and find it correctly enrolled.

DAVID BUTLER, *Chairman.*

Mr. Clark, of Sarpy, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 18, a bill for

an act to amend section second of an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved Dec. 29th, 1860, would report the same back and recommend its passage.

H. T. CLARK,
DAVID BUTLER,
JOHN MCCORMICK.

Mr. Jackson, of Dakota, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred council bill No. 15, entitled a bill for an act to incorporate Frontier Lodge No. 3, of the Independent Order of Odd Fellows, located at Nebraska City, Otoe county, Nebraska Territory, having had the same under consideration, beg leave to report the same back without amendment, and recommend its passage.

A. H. JACKSON,
D. BUTLER.

Mr. Jackson also submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred council bill No. 1, for an act to authorize D. C. Slader, J. R. Lewis and J. R. Meredith to construct and keep a mill-dam across the West Pappillion Creek, in Sarpy county, having the same under consideration, beg leave to report the same back to the council without amendment or recommendation.

A. H. JACKSON,
DAVID BUTLER,
W. A. LITTLE.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Marquette introduced council bill No. 23, a bill for an act to amend section 19 of an act entitled an act in relation to the commencing of civil actions, of which previous notice had been given.

Read first time.

Rules suspended, read a second time by its title, and referred to committee on the judiciary.

Mr. Little, on leave, submitted the following report:

Mr. President:

The majority of your select committee, to whom was referred council bill No. 4, a bill for an act to apportion and define councilman district, beg leave to report that they have had the same, together with the amendment proposed, under consideration and would recommend the following amendments to the bill. Strike out section 14 and insert in lieu thereof the following:

Sec. 14. This act shall take effect and be in force from and after its passage until the close of the session of the legislature of the Territory or future state of Nebraska, next convening after the first day

of June, 1865, but no longer, and shall then expire of its own limitation.

Also, after the word "secretary," in the second line of the thirteenth section, insert the following; "of the Territory."

And the majority of your committee would recommend the passage of the bill as amended. All of which is respectfully submitted.

W. A. LITTLE,
FRANK WELCH.

Mr. Butler, of Pawnee, introduced council bill No. 24, a bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on incorporations.

BILLS ON FIRST READING.

Council bill No. 20. A bill for an act to amend section 14 of an act regulating the fees and salaries of certain officers, approved January 9th, 1861.

Read first time.

On motion of Mr. Mason, the bill was laid on the table for the time being.

Council bill No. 21. A bill for an act to protect sheep.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on agriculture.

Council bill No. 22. A bill for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859.

Read first time.

Mr. Porter moved that the bill be read a second time by its title, and referred to the appropriate committee.

Objected.

Mr. Little, on leave, gave the following notice:

Mr. President:

I hereby give notice that I will on to-morrow, or some subsequent day, ask leave to introduce a bill making writs of error, in capital cases, writs of right.

W. A. LITTLE.

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
January 19, 1864.

Mr. President:

I am instructed to inform your honorable body that the house have

passed house file No. 18. A bill for an act relative to the printing of the laws of Nebraska.

Also,

House file No. 23. A bill for an act to amend an act entitled an act to restrain cattle, sheep and swine from running at large in Richland and Fontenelle precinct, Washington county, approved January 11th, 1861.

Also,

House file No. 25. A bill for an act to incorporate the City of Brownville.

Also,

House file No. 28. A bill for an act to locate a territorial road from Dakota City to the Elkhorn river.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

The council resolved itself into a committee of the whole to take into consideration a bill for an act to amend section second of an act entitled an act to authorize the sale of cast iron of the Territory of Nebraska, approved December 29th, 1860.

Mr. Little, of Douglas, in the chair.

The council having resumed business,

Mr. Little, chairman of the committee of the whole, submitted the following report:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 18, relative to the sale of cast iron, had the same under consideration, and beg leave to report it back to the council with the following amendment: Strike out the word "auditor," in the 8th line of the first section and insert "territorial treasurer or other officer or person or persons having said money," and recommend its passage.

On motion, the report of the committee of the whole was adopted.

On motion of Mr. Butler, the bill was ordered engrossed.

On leave, council bill No. 4. A bill for an act to apportion and define council district, was taken up for consideration.

Call of the council demanded.

All present.

On motion, all further proceedings under the call was dispensed with.

The report of the committee on council bill No. 4, was read.

Mr. Little moved the adoption of the amendment, as reported by the committee.

On motion, as to the adoption of that part of the report that referred to section 14,

The ayes and nays were demanded.

Ayes—Messrs. Jackson, Clark, Little, McCormick, Porter and Welch—6.

Nays—Messrs. Butler, Doom, Fisher, Marquette and Mason—5.

Carried.

On motion, that portion of the report of the committee that referred to section 13, was adopted.

On motion, the bill was ordered to be engrossed for a third reading to-morrow, and put upon its passage.

On leave, Mr. McCormick introduced the following resolution:

Resolved by the Council of the Territory of Nebraska, That the committee on ways and means be, and they are hereby instructed to include in the appropriation bill the sum of two hundred dollars to be paid to the persons who arrested the murderer of Isaac H. Neff, it being the amount of reward offered by the Governor for that purpose.

Laid over under the rules.

Mr. Clark moved that the council adjourn until to-morrow at 10 o'clock.

On motion, the following house files were taken up:

House file No. 25. A bill for an act to incorporate the City of Brownville, was read first and second time by its title, and referred to committee on incorporations.

Also,

House file No. 23. A bill for an act to amend an act entitled an act to restrain cattle, sheep and swine from running at large in Richland and Fontenelle precincts, in Washington county, approved January 11, 1861.

Read first and second time by its title, and referred to committee on agriculture.

Also,

House file No. 28. A bill for an act to locate a territorial road from Dakota City to Elkhorn River.

Read first and second time by its title, and referred to committee on highways and bridges.

Also,

House file No. 18. A bill for an act relative to the printing of the laws of Nebraska.

Read first time.

Read a second time by its title, and referred to committee on printing.

On motion of Mr. Marquette, the council adjourned till to-morrow at 10 o'clock A. M.

COUNCIL CHAMBER,
Wednesday, January 20, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Clark.

Journal read and approved.

The judiciary committee, to whom was referred a petition for divorce, submitted the following report, through their chairman, Mr. Marquette.

Mr. President:

Your committee, to whom was referred a petition for the divorce of Louisa Worden against F. G. Worden, having had the same under consideration, would respectfully submit the following:

That in the opinion of your committee, it is not a fit subject for legislation, and would recommend that all further consideration of the same be indefinitely postponed.

T. M. MARQUETTE.

O. P. MASON.

The same committee also submitted the following report:

Your committee, to whom was referred council bill No. 16. A bill for an act to repeal an act, to provide for special terms of the supreme court, approved January 11th, 1861, having had the same under consideration, would beg leave to report the following amendment to said bill, as section second, the following:

That section second of an act entitled, an act respecting practice and proceedings in courts of justice, and for other purposes, passed at the third session of the legislative assembly and approved in 1857, be also repealed, and that section second be changed to section third. With the above amendments your committee would report the bill back to the council and recommend its passage.

All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

The committee on expenditures, to whom was referred council bill No. 17, submitted the following report through their chairman, Mr. Porter:

Mr. President:

Your committee, to whom was referred council bill No. 17. An act for the relief of the families of Nebraska soldiers in the service of the United States, have had the same under consideration—ask leave to report the same back to the council without amendment, and recommend the passage of the same.

JOHN R. PORTER.

J. E. DOOM.

The committee on enrolled and engrossed bills submitted the following report through their chairman, Mr. Butler.

Mr. President:

Your committee on enrolled and engrossed bills have examined council bill No. 4. An act to apportion and define the council districts of the Territory.

Also,

Council bill No. 18. An act to authorize the sale of the east iron of the Territory, and find them correctly engrossed.

D. BUTLER, *Chairman.*

The judiciary committee, to whom was referred council bill No. 19, submitted the following majority report, through their chairman, Mr. Marquette.

Mr. President:

A majority of your committee, to whom was referred council bill No. 19. A bill for an act to amend the code of civil procedure, having had the same under consideration, would report the same back and recommend its passage.

All of which is respectfully submitted.

M. M. MARQUETTE, *Chairman.*

Also the following:

Mr. President:

The chairman of your committee, to whom was referred council bill No. 6, would report the same back to this council, and recommend that the printed bill be substituted in place of the written one, and would recommend its passage.

All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

Mr. Jackson submitted the following minority report:

Mr. President:

A minority of your committee, to whom was referred house file No. 2. A bill for an act to apportion the members of the House of Representatives of the Territory of Nebraska, after due consideration, beg leave to report the following amendment:

After section first insert the following (as section two):

SEC. 2. This act shall take effect and be in force from and after its passage, until the close of the session of the legislature of the Territory or future State of Nebraska, next convening after the first day of June, A. D. 1865, and no longer, and shall then expire of its own limitation.

A. H. JACKSON, *Chairman.*

The committee on elections, to whom was referred house file No. 2, submitted the following report through their chairman, Mr. Mason.

Mr. President:

Your committee on elections, to whom was referred house file No. 2.

A bill for an act to apportion the members of the house of representatives of the Territory of Nebraska, beg leave to report the same back with the following amendments:

1st. Strike out in section 1, line 13, Lancaster county one member, and insert Cass and Otoe counties jointly, one member.

2d. Strike out in section 1, line 18, Sarpy county two members, and insert Sarpy county one member, Sarpy and Douglas counties jointly, one member.

3d. Strike out in section 1, line 22, the word "Platte."

4th. Strike out in section 1, line 26, the words Dakota county two members, and insert the following:

Dakota county one member; Dakota, Dixon, Cedar and L'eau-qui-court counties jointly, one member.

And respectfully recommend the adoption of the amendments herewith reported.

O. P. MASON, *Chairman*.

The committee on highways and bridges, to whom was referred house file No. 28, submitted the following report through their chairman:

Mr. President:

Your committee, to whom was referred house file No. 28. A bill to locate a territorial road from Dakota City to the Elkhorn river, beg leave to report the same back without amendment or recommendation.

JOHN McCORMICK.

FRANK WELCH.

T. R. FISHER.

The special committee, to whom was referred house file No. 6, submitted the following report through their chairman, Mr. Mason:

Mr. President:

Your special committee, to whom was referred house file No. 6. A bill for an act entitled, an act to repeal an act, to locate a territorial road from Nebraska City to Brownsville. Having had the same under consideration, beg leave to submit the following report:

The act which is sought to be revived by this repealing act, is found on page 230, seventh session, 1860, and was approved January 4th, 1861. The repealing act sought to be repealed by the bill herewith submitted, was approved December 30th, 1860, and is found on page 48, eighth session.

Your committee have been unable to discover any good reason for reviving the special act of January 4th, 1861. The same having been repealed within one year after it was passed. And when the whole matter was considered and discussed by the people affected by the location of the proposed road, and the same was repealed at the request of those most interested in said road, and therefore recommend that the bill do not pass.

O. P. MASON.

T. R. FISHER.

A. H. JACKSON.

Mr. Marquette introduced a joint resolution relative to tendering the thanks of the people of Nebraska Territory, through the legislative assembly, to the brave men who have gone from our Territory to battle for our country's rights.

Read and adopted.

The resolution relative to instructing the committee on ways and means to include in the appropriation bill, the sum of \$200, as a reward to the persons who arrested the murderer of Isaac H. Neff, was taken up.

Read and discussed.

When, on motion, the further consideration of the resolution was postponed till to-morrow:

Mr. Little offered the following resolution:

Resolved by the Council of the Territory of Nebraska, That the committee on ways and means, be, and they are hereby instructed to report by bill or otherwise, in regard to the propriety of including in the appropriation bill, the sum of \$200, to be paid to the persons who arrested the murderer of Isaac H. Neff, that being the amount offered by the governor for that purpose.

Laid over under the rules.

BILLS ON SECOND READING.

Council bill No. 22. Read a second time and referred to committee on expenditures.

On motion of Mr. Marquette, the printed council bill No. 6 was substituted for the written one.

BILLS ON THIRD READING.

Council bill No. 18. A bill for an act to amend section second of an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29th, 1860, was taken up.

Read a third time.

Bill passed and title agreed to.

The following message from the house was received:

HOUSE OF REPRESENTATIVES,
January 20, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house has passed house file No. 5. A bill for an act to authorize garnishment in certain cases.

Also,

House file No. 43. A bill for an act to amend section second of an act entitled, an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29th, 1860.

Also,

A joint resolution relative to a select committee on finance.

Committee on the part of the house.

Messrs. Renner, Chapman and Ritchie.

Also,

A joint resolution for the payment of translating the governor's message and accompanying documents into the German language.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

Council bill No. 4. A bill for an act to apportion and define councilman districts, was taken up.

Read a third time.

Bill passed and title agreed to.

Council bill No. 15. A bill for an act to incorporate the Frontier Lodge No. 3, of the Independent Order of Odd Fellows, located at Nebraska City, Otoe county, Nebraska Territory, was taken up.

Read a third time.

Bill passed and title agreed to.

Council bill No. 1. A bill for an act to authorize D. C. Slader and others, to construct and keep a mill-dam across the west Papillion creek, in Sarpy county, was taken up.

Read a third time.

Bill passed and title agreed to.

Mr. Jackson, on leave, introduced the affidavits of Robert Kittle, J. F. Reynolds, Joseph J. Hawthorne and Peter Reed, requesting that said affidavits be referred to committee on expenditures, with

Council bill No. 22. A bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes, in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859.

Mr. Mason, on leave, introduced council bill No. 26. A joint resolution relative to obtaining from the general government, the amount paid by the Territory of Nebraska to Lacey and McCormick, and others.

On motion, the resolution was referred to committee on corporations.

Mr. Little, on leave, introduced council bill No. 25, with a memorial of M. H. Clark, praying for relief.

On motion, the council resolved itself into a committee of the whole, for the consideration of council bill No. 6.

Mr. Little, of Douglas, in the chair.

The council resuming business, Mr. Little submitted the following report:

Mr. President:

The committee of the whole, having had under consideration council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States or this Territory, to exercise the right of suffrage.

The committee have instructed me, as their chairman, to report the bill with amendments proposed, back to the council, and recommend that the bill, with amendments, be referred to a select committee of two, to be composed of Messrs. Marquette and Little, and that they be requested to report the same back to-morrow morning.

W. A. LITTLE, *Chairman.*

On motion, the report was adopted.

On motion,

Council bill No. 9. A bill for an act to amend the code of civil procedure, was ordered to be printed.

On motion of Mr. Mason, the committee on finance, ways and means, was appointed to confer with a like committee of the house on the revenue bill.

The vote by which the preceding motion was carried, was reconsidered.

On motion, the resolution from the house in regard to appointment of a joint committee on the revenue bill, was adopted.

Messrs. Doom and McCormick were appointed such committee.

On motion, the council adjourned till 10 o'clock to-morrow, A. M.

COUNCIL CHAMBER,

Thursday, January 21, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. McCormick.

Journal read and approved.

A majority of the committee on counties submitted the following report:

Mr. President:

A majority of your committee, to whom was referred house file No. 27, a bill for an act to change and re-define the boundaries of Hall

county, having had the same under consideration, beg leave to report the same back to the council and recommend its passage.

All of which is respectfully submitted.

FRANK WELCH,
H. T. CLARK.

A minority of the committee, to whom was referred the following joint resolution, submitted the following report:

Resolved by the Council and House of Representatives of the Territory of Nebraska, That the territorial auditor be and is hereby requested to obtain from the secretary's office, all the papers connected with the claims heretofore paid by the Territory of Nebraska, to Lacy & McCormick, George Clayes, King & Wood, and others, for supplies, &c., furnished to the expedition against the Pawnee Indians, in the summer of 1859, and that the governor be instructed to prepare a claim against the general government for the recovery of the amounts paid by the Territory on account of such claims, and that the governor be authorized to employ competent attorneys in the city of Washington, if necessary, to prosecute such claims before the proper departments; Provided, that no fees shall be paid such attorneys for services connected with the prosecution of said claims, unless said attorney and agents succeed in recovering said accounts or some portion thereof.

Mr. President:

A minority of your committee on incorporations, to whom was referred joint resolution, council bill No. 26, after due consideration, beg leave to report said resolution back to the council, and recommend that the same be referred to the proper committee (committee on federal relations), your committee on incorporations deeming the reference improperly made.

All of which is respectfully submitted.

A. H. JACKSON, *Chairman.*

The committee on finance, ways and means, to whom was referred council bill, No. 13, submitted the following report, through its chairman, Mr. Doom:

Mr. President:

Your committee, to whom was referred council bill No. 13, a bill for an act to provide an iron proof safe for the use of the auditor's office, beg leave to report the same back to the council with the following amendment:

Strike out section 2, and substitute the following:

Sec. 2. That the sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated to carry into effect the provisions of this act.

And recommend its passage.

J. E. DOOM,
JOHN MCCORMICK,
JOHN R. PORTER.

The committee on public buildings, through Mr. Clark, its chairman, ask leave to submit its report, to-day, or some future time.

Leave granted.

For the information of the council, the following resolution and substitute proposed by Mr. Little, were read :

Resolved by the Council of the Territory of Nebraska, That the committee on ways and means be and they are hereby instructed to include in the appropriation bill, the sum of two hundred dollars, to be paid to the persons who arrested the murderer of Isaac H. Neff, it being the amount offered by the governor for that purpose.

Resolved by the Council of the Territory of Nebraska, That the committee on ways and means be and they are hereby instructed to report, by bill or otherwise, in regard to the propriety of including in the appropriation bill, the sum of two hundred dollars, to be paid to the persons who arrested the murderer of Isaac H. Neff, that being the amount of reward offered by the governor for that purpose.

On motion of Mr. Mason, the resolution was reported back to its appropriate committee, and pending the action on the same the motion was withdrawn.

On motion of Mr. Butler, of Pawnee, the substitute, as offered by Mr. Little, to said resolution was again read for the information of the council, and

On motion of Mr. Mason, the substitute to said resolution was adopted.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Mason introduced council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses, of which previous notice had been given.

Mr. Campbell introduced council bill No. 29. A bill for an act to amend act entitled an act respecting elections.

BILLS ON FIRST READING.

Council bill No. 29. A bill for an act to amend an act entitled an act respecting elections.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on elections.

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure and in relation to the competency of witnesses.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on the judiciary.

Council bill No. 25. A bill for an act to authorize the territorial auditor to adjust the claim of M. H. Clark, for printing the second annual report of the territorial school commissioner.

A joint resolution for the payment of translating the governor's message and accompanying documents into the German language.

Read first time.

Rules suspended, resolution read a second time.

Mr. Campbell, of Otoe, moved to amend the resolution by striking out fifty dollars, and inserting in lieu thereof twenty-five dollars.

The question occurring on the adoption of the amendment, the ayes and nays were demanded, with the following result:

Ayes—Mr. Campbell—1.

Nays—Messrs. Butler, Clark, Doom, Fisher, Jackson, Little, Marquette, Mason, Porter and Welch—10.

Rules suspended, resolution read a third time.

Passed and title agreed to.

House file No. 43. A bill for an act to amend section second of an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29, 1860.

Bill read first time.

On motion, the same was laid on the table.

House file No. 5. A bill to authorize a garnishment in certain cases.

Read first time.

Rules suspended, bill read a second time, and referred to committee on the judiciary.

SECOND READING OF BILLS.

House file No. 6. A bill for an act entitled an act to repeal an act to locate a territorial road from Nebraska City to Brownville, approved December 30, 1861.

Read for the instruction of the council, and

On motion of Mr. Mason, the further consideration of the bill was indefinitely postponed.

On motion of Mr. Mason, the vote by which house file No. 6, was indefinitely postponed, was reconsidered and the motion was laid on the table.

The following message from the house was received and read:

HOUSE OF REPRESENTATIVES,

January 21, 1864. }

Mr. President:

I am instructed to inform your honorable body that the house has passed joint resolution relative to the state of the Union.

And the concurrence of the council is respectfully requested.

Also,

Council bill No. 27. A joint resolution of thanks to our soldiers in the field.

Also,

Council bill No. 18. A bill for an act to amend section — of an act

entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29, 1860,

Have been concurred in by the house, the same having passed that body without amendment.

Also,

House file No. 29. A bill for an act to amend an act entitled an act to attach certain unorganized portions of Nebraska to the first judicial district.

Also,

House file No. 30. A bill for an act to authorize Henry Elliott, his associates and assigns, to erect a toll bridge across the Nemaha River.

Have passed the house.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

The petition of Louisa O. Worden, for a divorce from her husband, F. G. Worden, was read a second time by its title, and

On motion, the further consideration of the same was indefinitely postponed.

On motion, the report of the judiciary committee on council bill No. 16, a bill for an act to repeal an act to provide for special terms of the supreme court, approved January 11, 1861, was adopted, and bill ordered engrossed.

House file No. 28. A bill for an act to locate a territorial road from Dakota City to the Elkhorn River, was read for the information of the council, and

On motion, the further consideration of the bill was postponed till to-morrow.

On motion of Mr. Doom the council resolved itself into a committee of the whole on council bill No. 17, a bill for an act for the relief of the families of Nebraska soldiers in the service of the United States.

The council having resumed business, the committee of the whole submitted the following report, through its chairman:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 17, a bill for an act for the relief of the families of Nebraska soldiers in the service of the United States, beg leave to report the same back, with the accompanying amendments, and ask that the bill, with the amendments, be re-committed to the committee on finance, ways and means, with instructions to examine sections three and four, and make such amendments as they may deem proper.

J. E. Doom, *Chairman.*

Report of the committee adopted, and

On motion, the bill was referred to committee on ways and means.

On motion of Mr. Doom, Mr. Mason was added to the committee.

House file No. 2. A bill for an act to apportion the members of the house of representatives, was taken up, and

On motion of Mr. Little, the report of the majority of the committee on said bill was read for the information of the council, when each amendment recommended by the committee was considered separately.

The clerk proceeded to read the first amendment.

Pending action on the same,

On motion, further consideration of the bill and the amendments thereto proposed, was postponed until to-morrow; and the bill, with the amendments proposed, were ordered to be printed for the use of the members.

A bill for an act to amend an act to provide for an estray law, approved January 11, 1861, was taken up for consideration, and

On motion of Mr. Fisher, the bill was referred to a select committee of three, who were requested to report on the same to-morrow.

Messrs. Fisher, Doom and Mason, were appointed such committee.

On motion, the council adjourned till to-morrow, at 10 o'clock A. M

COUNCIL CHAMBER,

Friday, January 22, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Fisher, Marquette and McCormick.

Journal read, corrected and approved.

PETITIONS AND MEMORIALS.

Mr. Welch presented the petition of F. H. Stevens and others, praying for an act enabling the citizens of Burt county, Nebraska Territory, to remove to county seat of said county.

Read, and on motion of Mr. Butler, referred to committee on counties.

Mr. Campbell, of Otoe, introduced council bill No. 31. A memorial to the congress of the United States for an appropriation of money for the erection of a penitentiary, and for other purposes.

Read first time.

Rules suspended, read a second time by its title, and referred to committee on federal relations.

REPORTS OF COMMITTEES.

The committee on incorporations submitted the following report through Mr. McCormick, their chairman:

Mr. President:

Your committee, to whom was referred council bill No. 12, a bill to incorporate the Plattsmouth Ferry Company, beg leave to report the same back without recommendation.

JOHN MCCORMICK,
FRANK WELCH.

The committee on expenditures submitted the following report through its chairman, Mr. Porter:

Mr. President:

Your committee, to whom was referred the bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859, beg leave to report the same back and recommend the passage of the bill.

JOHN R. PORTER,
J. E. DOOM.

REPORTS OF SELECT COMMITTEES.

The select committee on council bill No. 6, submitted the following report through its chairman, Mr. Marquette:

Strike out section 17; change section 18 to section 17, and in said section fill the blank with the word "secretary," and in the first line after the word "Territory," insert the words "or future state," and in the third and fourth lines strike out the words "as provided as this." Section 19 change to section 18; also, in second line after the word "territorial," insert the words "or future state," and in the third line after the word "aside," insert the words "Provided, the provisions of this act is in substance complied with." All of which is respectfully submitted.

T. M. MARQUETTE,
WM. A. LITTLE.

Mr. President:

Your committee, to whom was referred council bill No. 6, a bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, or of this Territory, to exercise the right of suffrage, having had the same under consideration, would report the same back to the council, and recommend the following amendments: In section 14 line 5 strike out the words "on or before the 28th day of December," and insert in lieu thereof "within thirty days." In lines 8 and 9 strike out the words "and fourteen, or before the — day of December," and insert "within thirty days." In fifteenth section, fourth line, strike out the words "in such districts to the clerks of the counties." In the 16th section first line, after the word "officers," insert "or future state." Also, in third line, after the word "Territory," the words "or future state." In the fifth line strike

out the words "on or before the 20th day of December," and insert the words "within thirty days."

A majority of the committee to whom was referred council bill No. 17, submitted the following report through its chairman, Mr. Doom:
Mr. President:

A majority of your committee to whom was referred council bill No. 17, an act for the relief of the families of Nebraska soldiers, in the service of the United States, have had the same under consideration, would respectfully report the same back with the following amendment: That the second section be amended by striking out the words "ten thousand," and insert "five thousand," and recommend the passage of the bill as amended.

J. E. DOOM,
JOHN R. PORTER,
JOHN MCCORMICK.

Mr. Mason, the minority of said committee, to whom was referred council bill No. 17, asked leave to introduce a substitute for said bill, at some future day. A bill for an organization of a territorial association.

Leave granted.

BILLS ON FIRST READING.

House file No. 30. A bill for an act to authorize Henry Elliott, his associates and assigns to erect a toll-bridge across the Little Nemaha River.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on highways, bridges and ferries.

House file — A joint resolution relative to the state of the Union, was taken up.

On motion of Mr. Mason, of Otoe, the Hon. E. B. Taylor was requested to read the same.

Motion prevailed.

Resolution read first time.

Rules suspended, resolution read a second time by its title, and referred to committee on federal relations.

House file No. 29. A bill for an act to amend an act entitled an act to attach certain unorganized portions of Nebraska to the first judicial district.

Read first time.

BILLS ON SECOND READING.

Council bill No. 25. Read a second time and referred with an accompanying memorial to the committee on expenditures.

House file No. 28. A bill for an act to locate a territorial road from Dakota City to the Elkhorn River.

On motion, the bill was ordered to be considered by the council.

On motion, the bill was read a third time and put upon its passage.

Bill passed and title agreed to.

Council bill No. 13. A bill to provide an iron fire-proof safe for the auditor's office, was taken up.

On motion of Mr. Clark, of Sarpy, the rules were suspended, and the bill acted upon by the council.

The reading of the report of said bill, for information, was called for.

The report being read,

On motion of Mr. Mason,

The report of the committee was adopted.

On motion, the bill was ordered engrossed with amendments for a third reading to-morrow.

On motion, council bill No. 26, joint resolution, was read for information.

On motion of Mr. Mason, the resolution was ordered for a third reading to-morrow.

The following was received from the house:

HOUSE OF REPRESENTATIVES, }
January 22, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house have concurred in council bill No. 15. A bill for an act to incorporate Frontier Lodge No. 3 of the Independent Order of Odd Fellows, located at Nebraska City, N. T., the same having passed that body without amendment. Also, that the house have passed house file No. 47, a bill for an act to attach the northern half of the county of Clay to the county of Lancaster, and the south half of the county of Clay to the county of Gage, and the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

House file No. 27. A bill for an act to change and re-define the boundaries of Hall county, was read for information.

On motion, the council resolved itself into a committee of the whole for the consideration of the same.

The council having resumed business, the following report from the committee of the whole was submitted through its chairman, Mr. Mason:

Mr. President:

Your committee, to whom was referred house file No. 27, would beg leave to report the same back, and ask leave to sit again.

By consent, council bill No. 6, a bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage, was taken up.

Mr. Mason moved that the report of the select committee on said bill, be adopted.

The reading of said report for information, was demanded.

Report was read and adopted.

Mr. Mason moved that the amendments in second line seventh section, as reported by the committee of the whole, be adopted.

Call of the council demanded.

Absent—Messrs. Butler and Jackson.

On motion, the Sergeant-at-Arms was dispatched after absentees.

Messrs. Butler and Jackson appearing within the bar, all further proceedings under the call were dispensed with.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Doom, Fisher, Jackson, Little, Mason and Porter—7.

Nays—Messrs. Butler, Marquette, Clark, McCormick and Welch—5.

Mr. Little moved the adoption of the proposed amendment.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Little and Mason—4.

Nays—Messrs. Clark, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—8.

On motion of Mr. Marquette, the remainder of the amendments, as reported by the committee of the whole, were adopted.

On motion, the bill was ordered engrossed for a third reading tomorrow.

On motion, Mr. Mason was excused till Tuesday next.

On motion of Mr. Butler, the council went into committee of the whole for the consideration of house file No. 2. A bill for an act to apportion the members of the house of representatives of the Territory of Nebraska.

Mr. Butler in the chair.

The council having resumed business, the committee of the whole, to whom was referred house file No. 2, submitted the following report:

Mr. President:

Your committee of the whole, to whom was referred house file No. 2, have had the same under consideration, and would beg leave to report the same back with the following amendments: Strike out in section 1 line 26 the word "two," and insert in lieu thereof the word "one." Add to section 1st another line, which will read as follows: "Dakota, Dixon, Cedar and Eau-qui-Court counties jointly one member."

D. BUTLER.

Moved by Mr. Marquette that the report of the committee of the whole be adopted.

Upon which, the ayes and nays were demanded.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Marquette, Mason and Welch—8.

Nays—Messrs. Jackson, Little, McCormick and Porter—4.

Mr. Doom moved that the vote by which the report of the committee of the whole was adopted, be reconsidered.

The ayes and nays were demanded.

Ayes—Messrs. Doom, Jackson, Little, McCormick, Porter and Welch—6.

Nays—Messrs. Butler, Campbell, Clark, Fisher, Marquette and Mason—6.

The president voting in the affirmative the motion prevailed.

Mr. Little moved that the minority report of the committee on elections be adopted.

Upon which the ayes and nays were demanded.

Ayes—Messrs. Clark, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Nays—Messrs. Butler, Campbell, Fisher, Marquette and Mason—5.

Moved by Mr. Mason that amendments one, two and three, as recommended by the committee on elections, be adopted.

Mr. Little asked that the amendments be considered separately.

When the question arose on the adoption of the first amendment of the proposed amendment,

The ayes and nays were demanded.

Ayes—Messrs. Butler, Campbell and Little—3.

Nays—Messrs. Clark, Doom, Fisher, Jackson, McCormick, Marquette, Porter and Welch—8.

Moved that amendment second of proposed amendments be adopted.
Lost.

Moved that the amendment third be adopted.
Lost.

On motion, the bill as amended by the committee of the whole with the amendment proposed by the minority of the committee on elections, was read a third time by its title.

Bill passed and title agreed to.

Mr. Fisher, chairman of select committee, on leave, submitted the following report:

Mr. President:

Your select committee, to whom was referred council bill No. 9, a bill for an act to amend an act entitled an act to provide for an estray law, approved January 11, 1861, having had the same under consideration, respectfully beg leave to submit the following report:

Your committee do not propose any amendment to the bill under consideration, but they are of opinion that the estray law required revising so as to include in one act the provisions of the bill they have had under consideration; they, therefore, submit in lieu of the bill a substitute entitled a bill for an act to revise an act entitled an act to provide for an estray law, approved January 11, 1861.

T. R. FISHER.

On motion of Mr. Fisher, the substitute for council bill No. 9, a bill for an act to amend an act to provide for an estray law, approved January 11, 1861, was ordered printed.

On motion, the council adjourned till Monday at 10 o'clock A. M.

COUNCIL CHAMBER,

Monday, January 25, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Campbell, Clark, Jackson and McCormick.

Journal of Friday read, corrected and approved.

REPORTS FROM STANDING COMMITTEES.

The committee on enrolled and engrossed bills, submitted the following report, through its chairman, Mr. Butler:

Mr. President:

Your committee on enrolled and engrossed bills, have examined council bill No. 18, and council bill No. 27, and find them correctly enrolled.

Also,

Council bill No. 16, council bill No. 13, and council bill No. 26, and find them correctly engrossed.

All of which is respectfully submitted.

D. BUTLER, *Chairman.*

J. C. CAMPBELL.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Little gave the following notice:

Mr. President:

I hereby give notice, that I will, on to-morrow, or some subsequent day, ask leave to introduce a bill for an act to incorporate the Platte Valley Bridge Company.

W. A. LITTLE.

Mr. Butler gave the following notice:

Mr. President:

I hereby give notice, that I will, at an early day, introduce a bill to authorize the county commissioners of Gage county to dispose of certain town lots in the town of Beatrice, situated in Gage county, Nebraska Territory.

D. BUTLER.

Mr. Campbell, of Otoe, asked leave to introduce a bill for an act to vacate a part of the town site of Gregsport, in Otoe county.

Leave granted and bill introduced.

Mr. Fisher gave the following notice:

I hereby give notice, that I will to-morrow introduce a bill to provide an extraordinary bridge fund in each county, on a vote of the people.

Mr. Doom gave the following notice:

Notice of a bill for an act to authorize the governor of this Territory to offer rewards for the apprehension of criminals fleeing from justice.

J. E. Doom.

BILLS ON FIRST READING.

Council bill No. 32. A bill for an act to vacate a part of the town site of Gregsport, in Otoe county.

Read first time.

House file No. 47. A bill for an act to attach the north half of the county of Clay to the county of Lancaster, and the south half of Clay to the county of Gage, was taken up.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on counties.

BILLS ON THEIR SECOND READING.

House file No. 29. A bill for an act to amend an act entitled an act to attach certain unorganized portions of Nebraska to the first judicial district.

Read a second time and referred to committee on the judiciary.

Council bill No. 12. A bill for an act to incorporate the Plattsmouth Ferry Company, was taken up.

On motion, the bill under consideration was acted upon by the council.

On motion of Mr. Doom, the bill was laid on the table.

Council bill No. 22. A bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859, was taken up, when,

On motion, the council resolved itself into a committee of the whole for the further consideration of said bill.

Mr. Marquette in the chair.

The council having resumed business, the committee of the whole, to whom was referred council bill No. 22, submitted the following report:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 22, having had the same under consideration, beg leave to report the same back with the following amendment:

In the fourth line of section one, strike out the word "forty," and insert in lieu thereof the word "twenty-five," and recommend its adoption.

T. M. MARQUETTE.

Mr. Butler moved that the report of the committee of the whole be adopted, upon which the ayes and nays were demanded, the vote standing as follows:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Little, McCormick, Porter and Welch—8.

Nays—Messrs. Campbell, Jackson, Marquette and Mason—4.

The report was adopted.

On motion of Mr. Butler, the bill was ordered engrossed for a third reading and passage to-morrow.

Council bill No. 19. A bill for an act to amend the code of civil procedure, was taken up.

The council resolved itself into a committee of the whole for the further consideration of said bill.

Mr. Mason, of Otoe, in the chair.

The council having resumed business, the committee of the whole submitted the following report, through its chairman, Mr. Mason:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 19, beg leave to report the same back with the accompanying amendment, without recommendation.

On motion of Mr. Fisher, the report was adopted.

The committee on enrolled and engrossed bills asked leave to submit a report.

Leave granted.

When the following report was submitted, through its chairman, Mr. Butler:

Mr. President:

Your committee on enrolled and engrossed bills have examined council bill No. 15, a bill for an act to incorporate Frontier Lodge No. 3, of the Independent order of Odd Fellows, located at Nebraska City, Nebraska Territory, and find it correctly enrolled.

D. BUTLER,

J. C. CAMPBELL.

On motion of Mr. Fisher, the council adjourned until 10 o'clock A. M., to-morrow.

COUNCIL CHAMBER,

Tuesday, January 26, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Mason and McCormick.

Journal of Monday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Doom, chairman of committee on ways and means, submitted the following report:

Mr. President:

Your committee, to whom was referred a resolution instructing the committee on ways and means to report, by bill or otherwise, in regard to the propriety of including in the appropriation bill, the sum of two hundred dollars, to be paid to the persons who arrested the murderer of Isaac H. Neff, have had the same under consideration, and beg leave to submit the following report:

That on or about the fifteenth of June, 1863, the body of Isaac H. Neff was found in the Missouri River, a short distance from the city of Omaha. Every circumstance went to show that a brutal murder had been committed by some person or persons unknown.

The perpetrators, it was generally supposed, had absconded, and no person felt sufficient interest in the matter to attempt the discovery and arrest the guilty parties.

There was no provision in our laws authorizing the offering of rewards for the apprehension of persons escaping from justice. Under the circumstances, his excellency, the governor, relying upon the justice of the people, and fearing that a great crime would go unpunished, took the responsibility of offering a reward of two hundred dollars for the apprehension and conviction of the guilty party.

One Cyrus Tator was arrested, tried, convicted and suffered the extreme penalty of the law, for the commission of the murder aforesaid.

After the trial and conviction of Tator, the chief justice of the Territory and the prosecuting attorney of Douglas county, certified that T. L. Sutton and F. Riley were the persons who arrested Cyrus Tator, and that they were entitled to the reward offered by the governor.

The persons above named have made application to the governor for the reward.

In conclusion, your committee would earnestly recommend the adoption of the following:

Resolved, That the course pursued by his excellency, Alvin Saunders, governor of this Territory, in offering a reward of two hundred dollars for the apprehension and conviction of the murderer of Isaac H. Neff, meets with the approbation of this council.

Resolved, That the committee on ways and means be and they are hereby instructed to report an appropriation for the amount offered as said reward.

J. E. DOOM,
JOHN R. PORTER.

Report laid over, under the rules, till to-morrow.

Mr. Marquette, chairman of the committee on the judiciary, submitted the following:

Mr. President:

A majority of your committee, to whom was referred council bill No. 28, a bill for an act to amend section 310, of the code of civil pro-

cedure, in relation to the competency of evidence, having had the same under consideration, would beg leave to report the same back to the council and recommend its favorable consideration.

All of which is respectfully submitted.

T. M. MARQUETTE,
O. P. MASON.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Clark, of Sarpy, gave the following notice:

I hereby give notice, that I will, on to-morrow or some future day, introduce a bill to incorporate Bellevue College.

H. T. CLARK.

Mr. Welch, of Burt, on leave, introduced council bill No. 33. A bill for an act relative to changing the county seat of Burt county.

Mr. Butler, of Pawnee, chairman of committee on engrossed and enrolled bills, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills have examined council bill No. 10, a bill to create and regulate railroad companies, and find it correctly engrossed.

D. BUTLER, *Chairman.*
J. C. CAMPBELL.

BILLS ON FIRST READING.

Council bill No. 33. A bill for an act relative to changing the county seat of Burt county.

Read first time.

BILLS ON THEIR SECOND READING.

Council bill No. 32. A bill for an act to vacate a part of Gregsport, in Otoe county.

Bill read a second time and referred to committee on incorporations.

Council bill No. 17. A bill for an act for the relief of the families of Nebraska soldiers in the service of the United States, was taken up.

On motion, section second was amended by striking out the word "ten," and insert the word "five" in lieu thereof.

Mr. Mason, of Otoe, moved to amend section first by inserting after the word "officer" in the fifth line, "together with the Rev. Amanuel Hartig."

Upon which, the ayes and nays were demanded with the following result.

Ayes—Messrs. Campbell, Fisher, Jackson, Little and Mason—5.

Nays—Messrs. Butler, Clark, Doom, Marquette, McCormick, Porter and Welch—7.

So the motion was lost.

On motion of Mr. Marquette, the bill was ordered engrossed for a third reading to-morrow.

Mr. McCormick moved, that the vote by which the bill was ordered engrossed for a third reading to-morrow, be reconsidered, pending which

The following message was received from the house:

HOUSE OF REPRESENTATIVES,
January 26, 1864. }

Mr. President:

I am instructed to inform your honorable body, the house has passed house file No. 12. A bill for an act to amend an act, entitled an act, to amend an act entitled an act, to incorporate the city of Omaha, approved February 2d, 1857.

Also,

A preamble and resolution to the President's Emancipation Proclamation.

And the council are respectfully requested to concur therein.

I herewith return to you, council bill No. 1. A bill for a charter to keep a mill-dam across the Pappillion, by D. C. Slader and others. The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

The motion of Mr. McCormick coming up again, it was decided in the affirmative.

When Mr. Mason, of Otoe, renewed his motion to amend section first, by inserting after the word "officer," in the fifth line, the words "together with the Rev. Amanuel Hartig."

The ayes and nays were demanded again, with the following result:

Ayes—Messrs. Butler, Campbell, Clark, Doom, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—11.

Nays—None.

Thereupon, the motion was carried.

On motion of Mr. Marquette, of Cass, the bill was ordered to be engrossed for a third reading to-morrow.

BILLS ON THEIR THIRD READING.

Council bill No. 16. A bill for an act to repeal an act, to provide for special terms of the supreme court, approved January 11th, 1861.

On motion, the bill was read a third time and put upon its passage.

Bill passed and title agreed to.

Council bill No. 26. A joint resolution.

On motion of Mr. Mason, the resolution was read a third time.

Bill passed and title agreed to.

Council bill No. 13. A bill to provide an iron safe (fire proof) for the auditor's office.

On motion, was

Read a third time and put upon its passage.

Bill passed and title agreed to.

House file No. 27. A bill for an act to change and re-define the boundaries of Hall county, was taken up.

On motion, the bill was read a third time and put upon its passage.

Bill passed and title agreed to.

On motion of Mr. Mason, the council went into a committee of the whole, for the consideration of council bill No. 10. A bill for an act to create and regulate rail road companies.

Mr. Campbell, of Otoe, in the chair.

The council resumed business to receive the following message from the house:

HOUSE OF REPRESENTATIVES,
January 26, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house has passed house file No. 19. A bill for an act entitled an act to provide for an estray law, approved January 11th, 1861.

Also, house file No. 40. A bill for an act entitled an act, conferring powers on the territorial auditor and territorial treasurer.

And the concurrence of the council is respectfully requested.

I herewith return to you council bill No. 4. A bill for an act to apportion and define council districts. The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Mr. Campbell resumed the chair in the committee of the whole.

The council having resumed business, Mr. Campbell, chairman of the committee of the whole, submitted the following report:

Mr. President:

The committee of the whole, having had under consideration council bill No. 10, entitled a bill for an act to create and regulate rail road companies, have instructed me to report said bill back to the council with the following amendments:

Add to section 39 the words following:—

And provided further, That the damage or injury was not caused by the carelessness or negligence of the agent or agents, or employees of said company or corporation.

Also, strike out section 33, and insert accompanying section under section 38.

Also, add the attached section as sections 50 and 51.

All other amendments adopted, having been incorporated into the engrossed bill by interlineation.

And recommend the adoption of the several amendments adopted in the committee of the whole, and that the bill with the amendments be ordered engrossed for a third reading on to-morrow.

On motion, the report of the committee of the whole was adopted, and the bill ordered engrossed for a third reading to-morrow.

On motion of Mr. Marquette, council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, in relation to the competency of witnesses, was ordered to be printed.

On motion of Mr. Little, house file No. 12 was taken up.

Bill read first time.

Rules suspended, bill read a second time by its title, and referred to committee on incorporations.

On motion of Mr. Marquette, the house bills on the president's table were taken up. When,

A preamble and resolution, relative to the President's Proclamation of January 1st, 1863, was read. Whereupon,

Mr. Marquette, of Cass, moved that the resolution be referred to the committee on federal relations.

Motion withdrawn.

Mr. Fisher, of Nemaha, moved that the further consideration of the resolution be postponed, when

Mr. Mason, of Otoe, offered the following amendment to said motion:

That said preamble and resolution be sent back to the house with a request that they be engrossed. Carried.

Mr. Butler, on engrossed and enrolled bills, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 1. A bill for a charter to keep a mill-dam across the West Pappillion, have examined the same and find it correctly engrossed; also, council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage.

D. B. BUTLER.

J. C. CAMPBELL.

House file No. 40. A bill entitled an act, conferring certain powers on the territorial auditor and territorial treasurer.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on the judiciary.

House file No. 19. A bill for an act entitled an act, to provide for an estray law, approved January 11th, 1861.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on agriculture.

On motion of Mr. Marquette, council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage, was taken up.

Mr. Marquette, of Cass, moved that the bill be read a third time and put upon its passage.

Upon which the ayes and nays were demanded.

A call of the council ordered.

Mr. Doom being absent,

On motion the sergeant-at-arms was dispatched after the absentee.

Mr. Doom appearing within the bar, all further proceedings under the call were dispensed with.

The ayes and nays were called, with the following result:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—11.

Nays—Mr. Campbell—1.

So the motion prevailed.

On motion, the council adjourned till to-morrow, at 10 o'clock A. M.

COUNCIL CHAMBER,

Wednesday, January 27, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Jackson.

Journal of Tuesday read and approved.

REPORTS FROM COMMITTEES.

Mr. McCormick, chairman of the committee on highways, bridges and ferries, submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 30, a bill to authorize Henry Elliott, his associates and assigns to erect a toll-bridge across the Little Nemaha River, beg leave to report the same back without amendment, and recommend its passage.

JOHN McCORMICK.

FRANK WELCH,

T. R. FISHER.

Mr. Burt, of Burt, chairman of the committee on counties, submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 47, a bill for an act to attach the north half of the county of Clay to the county of Lancaster, and the south half of Clay county to the county of Gage, having had the same under consideration, beg leave to report the same back to the council without amendment, and recommend its passage.

FRANK WELCH,

JOHN C. CAMPBELL,

H. T. CLARK,

Mr. Clark, of Sarpy, chairman of the committee on public buildings, submitted the following report, together with a joint resolution:

Mr. President:

Your committee, to whom was referred that portion of his Excellency, the Governor's message, referring to our need of a penitentiary,

Mr. Butler, of Pawnee, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills have examined council bill No. 10. A bill for an act to create and regulate railroad companies.

Also,

Council bill No. 22. A bill for an act for the relief of Robert Moorland, and find them correctly engrossed.

D. BUTLER, *Chairman.*
J. C. CAMPBELL.

Mr. Butler moved that council bill No. 22, a bill for an act for the relief of Robert Moorland, for a horse taken and pressed by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes in carrying on the expedition against the Pawnee Indians, in the summer of the year 1859, be recommended to a select committee of three.

Motion ruled out of order.

RESOLUTION.

The following resolutions from the committee on ways and means, were taken up:

1. *Resolved*, That the course pursued by his Excellency, Alvin Saunders, governor of this Territory, in offering a reward of two hundred dollars for the apprehension of the murderer of Isaac H. Neff, meets with the approbation of this council.

2. *Resolved*, That the committee on ways and means be, and they are hereby instructed to report an appropriation for the amount offered as said reward.

Mr. Doom moved that the resolution be adopted.

Pending which,

Mr. Mason, of Otoe, offered the following as a substitute for the second resolution:

Resolved, That the committee on ways and means be, and they are hereby instructed to report an appropriation of fifty dollars for services rendered to this Territory in the arrest of Cyrus Tator to be paid to Thomas Riley.

Mr. Clark called for the reading of the resolution for information.

Resolution was read,

When Mr. Clark moved that the word "two," in said resolution, be stricken out and the word "one" inserted.

Motion withdrawn.

Mr. Mason, of Otoe, offered the following resolution as a substitute for and amendment to the one reported by the committee on ways and means:

Whereas, Gov. Alvin N. Saunders offered a reward for the apprehension of the murderers of Isaac H. Neff, and when the said murderer was afterward arrested and punished, and the Governor has paid said reward; therefore, be it

Resolved, That there be an appropriation in the general appropriation bill of the sum of \$200 to reimburse his Excellency Alvin Saunders.

The question arising on the adoption of the substitute, as offered by Mr. Mason,

The ayes and nays were demanded with the following result:

Ayes—Messrs. Campbell, Little and Mason—3.

Nays—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—9.

Motion lost.

The question recurring on the adoption of the resolution as first offered by the committee on ways and means, the ayes and nays were demanded, which resulted as follows:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—9.

Nays—Messrs. Campbell, Little and Mason—3.

The motion prevailed.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Clark, of Sarpy, introduced council bill No. 34. A bill for an act to incorporate the Bellevue College.

Mr. Doom, of Cass, introduced council bill No. 35. A bill for an act to authorize the governor of this Territory to offer rewards for the apprehension and conviction of criminals.

BILLS ON FIRST READING.

Council bill No. 34.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on education.

Council bill No. 35.

Read first time.

Council bill No. 36. Memorial and joint resolution praying Congress for an appropriation for building a penitentiary in the Territory of Nebraska.

Read first time.

Rules suspended, bill read a second time by its title, and referred to committee on federal relations.

BILLS ON SECOND READING.

Council bill No. 33. A bill for an act relative to changing the county seat of Burt county.

Read a second time and referred to committee on counties.

Mr. Butler, chairman of the committee on engrossed and enrolled bills, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 4. An act to re-apportion and define councilman districts, and find the same correctly enrolled:

D. BUTLER, *Chairman.*

J. C. CAMPBELL.

Council bill No. 19. A bill for an act to amend the code of civil procedure, was taken up.

Mr. Marquette, of Cass, moved that the bill be ordered engrossed for a third reading to-morrow.

Call of the council demanded.

Absent—Mr. Doom.

On motion, the sergeant-at-arms was dispatched after the absentee.

Mr. Doom appearing within the bar, all further proceedings under the call was dispensed with.

Mr. Little moved that the bill be indefinitely postponed.

Ayes and nays demanded, with the following result:

Ayes—Messrs. Doom, Jackson, Little, McCormick and Porter—5.

Nays—Messrs. Butler, Campbell, Clark, Fisher, Marquette, Mason and Welch—7.

Motion lost.

When the following message was received from the Governor:

EXECUTIVE OFFICE, OMAHA,
January 25, 1864. }

Mr. President and Gentlemen of the Council:

I am directed by the Governor to inform your honorable body, that he has signed and approved:

A joint resolution and memorial relative to state government.

Joint resolution of thanks to soldiers in the field.

An act to amend the second section of an act entitled an act to authorize the sale of the cast iron of the Territory of Nebraska, approved December 29th, 1860; and,

An act to incorporate Frontier Lodge No. 3 I. O. O. F., located at Nebraska City, Otoe county, Nebraska.

E. P. BREWSTER, *Private Secretary.*

The question arising again on the engrossment of the bill under consideration for a third reading to-morrow.

Upon which the ayes and nays were demanded, with the following result:

Ayes—Messrs. Butler, Campbell, Clark, Fisher, Marquette and Welch—6.

Nays—Messrs. Doom, Jackson, Little, Mason, McCormick and Porter—6.

The president voting in the negative, the motion was lost.

On motion of Mr. Mason, of Otoe, the further consideration of the bill was postponed till next Tuesday.

BILLS ON THIRD READING.

Council bill No. 22. A bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes, was taken up.

On motion of Mr. Butler, the bill was recommitted to a select committee of three.

Messrs. Butler, Campbell and McCormick were appointed such committee.

Council bill No. 10. A bill to create and regulate railroad companies, was taken up.

On motion, the bill was read a third time and put upon its passage. Bill passed and title agreed to.

On leave, Mr. Porter, chairman of committee on expenditures, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 25, together with the memorial of W. H. Clark, praying for the passage of a law authorizing the auditor of the Territory to adjust the claim of said Clark for printing the second annual report of the territorial school commissioner, beg leave to report that they have had the same under consideration and report the same together with the papers, for the consideration of the council. Your committee would further state that they called upon Mr. E. B. Taylor and T. R. Fisher, practical printers, to estimate the cost of printing said report, and they have furnished your committee with an estimate or amount of said work. Your committee would further state that the work, as above estimated, as paid by government, amounts to the sum of \$1,289.

JOHN R. PORTER,
JOHN C. CAMPBELL,
J. E. DOOM.

By leave, Mr. Fisher, chairman of committee on agriculture, submitted the following report:

Your committee, to whom was referred house file No. 19, a bill for an act entitled an act to provide an estray law, approved January 11, 1861, having had the same under consideration, respectfully beg leave to report the bill back to the council and recommend that it do not pass.

T. R. FISHER, *Chairman*.
J. E. DOOM,
JOHN R. PORTER.

On motion, house file No. 47, a bill for an act to attach the north half of the county of Clay to the county of Lancaster, and the south half of Clay county to the county of Gage, was taken up.

The reading of the report of the committee was called for.

The report was read, and, on motion, was adopted.

Mr. Marquette, of Cass, moved that the bill be read a third time and put upon its passage.

Mr. Jackson, of Dakota, moved that the bill be recommitted to the committee on counties, and that they be instructed to make provision, 1st., for the indebtedness of the county; 2d, for the debts due the county; 3rd, for the depositing of the books and records of said county of Clay.

Mr. Doom moved to amend by inserting the committee on the judiciary instead of counties.

Amendment being accepted, the motion prevailed.

On motion, the council adjourned till 10 o'clock to-morrow.

COUNCIL CHAMBER,
Thursday, January 28, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Clark.

Journal of yesterday read and approved.

PETITIONS AND MEMORIALS.

Mr. Welch presented the petition of Wm. Maher and twenty-five others, praying for the repeal of the special herd law in Cuming City precinct, Washington county, Nebraska.

Mr. Little moved that the council go into secret session.

Carried.

The council having resumed business, Mr. Doom asked to be excused from attending the sitting of the council until day after to-morrow.

Excused.

Mr. Mason, of Otoe, submitted the following report:

Mr. President:

Your committee on elections, to whom was referred council bill No. 29, a bill for an act to amend an act entitled an act respecting elections, submit the following report:

Add at the close of said proposed amendment:

If any judge of any election shall fail to number each and every vote, as provided in this section, for every such neglect or offense, such judge, upon conviction thereof, before any court having jurisdiction, shall be fined in a sum not less than twenty-five dollars, nor exceeding one hundred dollars, one-half to go to the person or persons prosecuting, and the other half to the school fund of the county where said offense shall be committed, and all such prosecutions shall be in the name of the Territory.

O. P. MASON,
FRANK WELCH,
A. H. JACKSON.

Mr. Marquette, chairman of the judiciary committee, submitted the following:

Mr. President:

Your committee, to whom was referred house file No. 40, a bill entitled an act conferring certain powers on the territorial auditor and territorial treasurer, having had the same under consideration, would report the same back to the council without recommendation.

All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

Mr. Jackson, chairman of committee on incorporations, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred house file No. 25, a bill for an act to incorporate the city of Brownville.

Also,

Council bill No. 30. A bill for an act to vacate a part of the town site of Greggspport, in Otoe county, Nebraska Territory.

After due consideration, beg leave to report the same back and recommend their passage.

Respectfully submitted.

A. H. JACKSON,
D. BUTLER,
W. A. LITTLE.

Mr. Jackson asked leave to examine the railroad bill.

Leave granted.

NOTICE AND INTRODUCTION OF BILLS.

Mr. Fisher introduced council bill No. 37. A bill for an act for the protection of sheep, and for other purposes.

Bill read first time.

BILLS ON SECOND READING.

Council bill No. 35. A bill for an act to authorize the governor of this Territory to offer rewards for the apprehension and conviction of criminals.

Read second time and referred to committee on the judiciary.

Mr. Jackson, of Dakota, chairman of the committee on incorporations, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred council bill No. 5, a bill for an act to incorporate the Walnut Grove Cemetery, of the city of Brownville, having had the same under consideration, beg leave to report the same back to the council without recommendation.

A. H. JACKSON,
W. A. LITTLE,
D. BUTLER.

Council bill No. 25. A bill for an act to authorize the territorial auditor to adjust a certain claim, was taken up,

When the council resolved itself into a committee of the whole for the further consideration of the same.

Mr. Jackson, of Dakota, called to the chair.

The council having resumed business, the committee of the whole submitted the following report, through its chairman, Mr. Jackson:

Mr. President:

Your committee, to whom was referred council bill No. 25, have had the same under consideration, and beg leave to report the same back to the council and recommend that it be re-committed to a select committee of three, with the instructions to take the evidence, under oath, of a practical printer, at the cash value of said work done and services performed, and report the evidence to the council with their conclusion thereon.

And, on motion, the report was adopted, and

Messrs. Little, Marquette and Mason, were appointed such committee.

House file No. 30. A bill for an act to authorize Henry Elliott, his associates and assigns, to erect a toll bridge across the Little Nemaha River, was taken up.

The reading of the report of the committee on said bill was called for.

Report read for information.

On motion of Mr. Marquette, the bill was read a third time by its title, and put upon its passage.

Bill passed and title agreed to.

House file No. 19. A bill for an act to amend an act entitled an act to provide for an estray law, approved January 11, 1861, was taken up, and

On motion of Mr. Mason, the same was laid upon the table.

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, in relation to the competency of witnesses, was taken up.

Mr. Marquette moved that the council go into committee of the whole for the further consideration of said bill.

The motion prevailing,

Mr. Marquette was called to the chair.

The council having resumed business, the following report was submitted:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 28, having had the same under consideration, and having adopted the following amendments in section one:

Strike out all after the word "confession" and including the word "provided," in the 13th line; also, in the 8th line, after the word

"truly" insert the words "and who do not fully understand the nature and obligation of an oath."

Likewise after first section insert the following section as section second:

The provisions of this act shall not affect causes now pending, but the testimony in such cases shall be taken in the same manner and under the same rules of evidence as though this act had never been passed.

Section two change to section three, and section three change to section four.

T. M. MARQUETTE, *Chairman.*

The following message from the house was received:

HOUSE OF REPRESENTATIVES,

January 28, 1864. }

Mr. President:

I am instructed to return to you house file No. 30, a bill for an act to authorize Henry Elliott, his associates and assigns, to erect a toll bridge across the Little Nemaha River, and the message of the council accompanying said bill, the house having refused to receive the same, and having instructed me to return the same forthwith.

RIENZI STREETER, *Chief Clerk.*

Mr. Mason, of Otoe, moved that the council take up the substitute for council bill No. 9, a bill for an act to revise an act entitled an act to provide for an estray law, approved January 11, 1861, and go into committee of the whole for the consideration of the same.

Mr. Clark, of Sarpy, by the motion of Mr. Little, was excused until next Monday.

After which, Mr. Mason was called to the chair in committee of the whole, on said substitute for council bill No. 9.

The committee arose.

The council having resumed business, Mr. Mason, chairman of the committee, submitted the following report:

Mr. President:

The committee of the whole having had under consideration substitute for council bill No. 9, reported by committee on agriculture, have instructed me to report the same back to the council, and recommend that the bill for which the bill under consideration is a substitute, together with the substitute and the house bill relating to the same subject, be referred to a special committee of three.

O. P. MASON.

Which, on motion, was adopted.

Messrs. Mason, Fisher and Little were appointed said committee.

Mr. Little, on leave, introduced joint resolution for the relief of J. W. Hollinshead.

Read first time.

Rules suspended, read a second time by its title, when

Mr. Mason moved the joint resolution be referred to committee on ways and means.

Carried, and

The resolution was so referred.

Mr. Butler, chairman of the committee on engrossed and enrolled bills, submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills have examined council bill No. 17, an act for the relief of the families of Nebraska soldiers in the service of the United States, and find it correctly engrossed.

D. BUTLER,

J. C. CAMPBELL.

On motion of Mr. Marquette, the council adjourned until 10 o'clock to-morrow morning.

COUNCIL CHAMBER,

Friday, January 29, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Marquette and Mason.

Journal read and approved.

The following communication was received from the chief clerk of the council:

COUNCIL CHAMBER,

January 29, 1864. }

Mr. President and Gentlemen of the Council:

I hereby tender to you my resignation as your chief clerk, respectfully requesting that you will accept the same.

Most respectfully, &c.

J. W. HOLLINSHEAD, *Chief Clerk.*

On motion of Mr. Campbell, Mr. Hollinshead's resignation was accepted.

On motion, the council proceeded to the election of a chief clerk.

M. Marquette nominated John Taffe.

Mr. Porter nominated M. H. Clark.

Mr. Little moved that the council proceed to elect by ballot.

Carried.

It was moved that two members of the council be appointed by the chair to act as tellers.

Carried.

Messrs. Little and Mason were so appointed.

The council then proceeded to ballot, with the following result:

Mr. Taffe received five votes.

Mr. Clark received four votes.

Mr. Taffe having received a majority of all the votes cast, was declared duly elected chief clerk.

Mr. Mason moved, that the office of the enrolling clerk of the council be declared vacant, such being the request of the present incumbent.

Carried.

On motion, J. W. Van Nostrand was unanimously elected as enrolling clerk of the council.

On motion,

Messrs. Little and Marquette were appointed a committee to wait upon Mr. Taffe, and inform him of his election as chief clerk of the council.

Mr. Mason offered the following resolution, which was adopted:

Resolved, That the thanks of this council are hereby tendered to J. W. Hollinshead, late chief clerk, for his strict and diligent attention to business, and his earnest efforts to discharge the duties of that position.

On motion of Mr. Mason, the council took a recess for thirty minutes.

11 o'clock A. M.

Council met pursuant to recess.

President in the chair.

Roll called.

Absent—Messrs. Campbell, Jackson, Fisher and Marquette.

The sergeant-at-arms was dispatched after absentees.

The absentees having appeared within the bar, all further proceedings under the call of the house were dispensed with.

Mr. Butler moved that a committee of two be appointed to wait upon the secretary of the Territory, and request him to administer the oath of office to John Taffe, chief clerk elect.

Carried.

Messrs. Butler and Campbell were appointed such committee.

The committee having waited upon the secretary, he appeared within the bar of the council and duly administered the oath of office to John Taffe, as chief clerk.

The following communication was received from the secretary of the Territory:

HON. E. A. ALLEN,
President of the Council.

Sir:

I have the honor to inform you that the oath has been duly administered to James W. Van Nostrand, enrolling clerk of the council.

I am sir, &c.

A. S. PADDOCK, *Secretary.*

Mr. Doom, from the joint committee, to whom was referred the various bills before the legislature, relating to finance, submitted the following report, which was laid over under the rules:

Mr. President:

The joint committee of both houses, to whom was referred the various bill before this legislature, relating to finance, beg leave to submit the following report:

That, having carefully examined the many bills presented for consideration, would report back council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

With the following amendments, and recommend the passage of the bill as amended:

In section 2, fourth line, after the words "ferry franchises," insert "and toll bridges."

Section 2, sixteenth line, strike out the word "also" before "all moneys."

Section 2, sixteenth line, after the word "merchandizes," insert, "personal property of any description, belonging to persons or companies, doing a freighting or transporting business across the plains, shall be valued at the usual price of similar property, at the time and place of listing, and shall be assessed at the respective places of residence, of such person or persons."

Section 4, first line, after the word "year," insert, "at its actual value, at the place of listing the same."

Section 4, second line, strike out the word "that," before the words "in the assessment."

Section 7, first line, strike out the words, "or diminished or varied."

Section 9, fourth line, after the word "required," insert, "to be listed."

Section 15, fourth line, strike out the word "will," and insert "shall."

Section 17, in lieu thereof, substitute the following:

The president, secretary or principal accounting officer of any canal or slack water navigation company, rail road company, turnpike company, plank road company, bridge company, insurance company, telegraph company, or other joint stock company, except banking or other corporations, whose taxation is specifically provided for in this act, for whatever purpose they may have been created, whether

incorporated by any law of this Territory or not, shall list for taxation, verified by the oath or affirmation of the person so listing. All the personal property which shall be held to include road-bed, depot, water and wood stations, and such other realty, as is necessary to the daily running operations of the road, moneys and credits of such company or corporations, within the Territory, at the actual value in money, in manner following: In all cases, return shall be made to the several clerks of the respective counties where such property may be situated, together with a statement of the amount of said property, which is situated in each incorporated village or city therein. The value of all moveable property, shall be added to the stationary and fixed property, and real estate, and apportioned to such cities or incorporated villages, *pro rata*, in proportion to the value of the real estate and fixed property in said cities or incorporated villages. And all property so listed, shall be subject to, and pay the same taxes as other property listed in such city or incorporated village. It shall be the duty of the accounting officer, aforesaid, to make return to the auditor of the Territory, before the first Monday of May in each year, the aggregate amount of all property, by him returned, as required by the provisions of this act, to the several clerks of the respective counties in which the same may be located. If the county clerk, to whom returns are made, is of the opinion that false or incorrect valuations have been made, or that the property of the corporation or association has not been listed at its full value, or that it has not been listed in the location where it properly belongs; or, in cases where no return has been made to the county clerk, he is hereby required to proceed to have the same valued and assessed, in the same manner, as is prescribed in the several sections of this act, regulating the listing, valuation and assessment of real and personal property. The returns required by this section, to be made by the accounting officers of corporations or companies, to the county clerk, shall be made on or before the first Monday of April, in each year.

Section 19, first line, strike out, "except mutual insurance companies, chartered in other States."

Section 19, second line, strike out all between the word "taxed," in the second line, and the word "upon," in the third line, and insert, "one per cent. for county purposes, and one per cent. for territorial purposes."

Section 22, fourth line, strike out the word "chapter," and insert "act."

Section 23, fourth line, strike out the word "chapter," and insert "act."

Section 29, first line, strike out the word "governor."

Section 29, first line, after the word "treasurer," insert, "together, with one person from each judicial district of this Territory, to be appointed on or before the first Monday of April, in each year, by the judge of said district, and such person so appointed, shall hold his office until his successor is appointed. The judge of each judicial district shall notify the territorial auditor of the name, and post office address of the person so appointed."

Section 29, second line, after the word "equalization," insert, "or a majority of them."

Section 30, fourth line, after the word "nor," strike out the word "less," and insert the word "more."

Section 31, seventh line, strike out "twenty-nine," and insert "thirty."

Section 33, fifth line, strike out "twenty nine," and insert "thirty."

Section 33, seventh line, strike out "three dollars to the quarter section," and insert "ten mills on the dollar."

Section 33, eighth line, after the word "dollar," insert "and fifty cents."

Section 34, after the word "levied," add, "unless the qualified voters of the same shall so direct, at a meeting called for that purpose, of which meeting, at least ten days' notice shall be given, either by publication in some newspaper in the district, or by posting written notices in at least three public places in the district."

Section 50, fourth line, strike out the word "assessor," and insert "county clerk."

Section 50, fifth line, strike out "assessment roll," and insert "tax list."

Section 51, third line, strike out "January," and insert "February."

Section 51, fourth line, after the word "directed," insert "and required."

Section 51, fourth line, strike out the word "make," and insert "collect."

Section 51, sixth line, after the word "sale," add: "*Provided*, That in case any person, having only personal property assessed, and upon which the taxes are unpaid, should, in the opinion of the treasurer, be about to move out of the county, it shall be the duty of the treasurer to collect such taxes, at any time after the tax duplicate has been placed in his hands."

Section 52, first line, strike out the word "that."

Section 52, first line, strike out "January" and insert "February."

Section 57, first line, strike out "January" and insert "February."

Section 59, twelfth line, after the word "publisher" add, "*Provided*, That in all cases where all of the lots in a block, in any town, are owned by one person; or where any number of blocks, in any such town, are returned as owned by one person, or the owners are unknown; the treasurer shall include as many as possible of said blocks, in one line of the said advertisement, which line shall be considered one description, and shall be charged ten cents."

Section 60, fourth line, strike out "the sale is complete," and insert "all the lands and lots or blocks have been offered."

Section 65, tenth line, after the word "cases" add "and write thereon, sold for taxes at public sale."

Section 65, sixteenth line, after the word "me" insert "at public or private sale."

Section 66, second line, after the word "with" insert "the necessary amount of United States revenue stamps, and."

Section 67. (New section.)

After the tax sale shall have closed, and after the treasurer has made his return thereof to the county clerk, as provided in section sixty-three of this act, if any real estate remain unsold for want of bidders therefor, the county treasurer is authorized and required to sell the same at private sale, at his office, to any person who will pay the amount of the taxes, penalty, interest and costs thereon, for the same, and to deliver to such purchaser a certificate, as provided in section sixty-five of this act; and to make out duplicate receipts for the taxes on such real estate, and deliver one to the purchaser and the other to the county clerk, as hereinbefore provided; on which he is required to write the words: "sold for taxes at private sale." And the treasurer is further authorized and required to sell, as aforesaid, all real estate in his county on which taxes remain unpaid and delinquent for any previous year or years.

Section 67, change to section 68.

Section 67, third line, after the word "certificate" strike out "and interest thereon, at the rate of forty," and insert "with a penalty of fifty per centum added thereto, and interest on the whole amount at the rate of ten."

Section 67, fourth line, strike out the word "sale" and insert the word "purchase."

Section 67, seventh line, after the word "same" insert "and file a duplicate of the same with the county clerk, as in other cases."

Section 67, eighth line, after the word "attorney," insert "provided that."

Section 68 is added to section 67.

Section 72, twelfth line, after the word "county" insert "or at private sale, at the office of the county treasurer, as the case may be."

Section 73, second line, after the word "other" insert the word "name."

Section 74, second line, after the word "sales" insert "the sales."

Section 76, second line, after the word "principal" insert "penalty."

Section 76, fourth line, strike out the word "will" and insert the word "shall."

Section 76, fourth line, after the word "recover," insert the words "the same."

Section 79, first line, after the word "license" insert the words "shall be deemed."

Section 79, sixth line, strike out the word "refusing" and insert the word "refuse."

Section 80, fourth line, strike out the word "October," and insert "November."

Section 80, fifth line, before the word "each" insert "November."

Section 80, sixth line, after the word "taxes" insert "in coin."

Section 80, seventh line, strike out the word "five" and insert the word "ten."

Section 82, second line, strike out "April" and insert "May."

Section 89, eighth line, strike out the word "as" and insert "other duties."

Section 89, twelfth line, after the word "collected" insert "and accounted."

Section 89, twenty-first line, after the word "person" add, "the members of the territorial board of equalization, appointed from the judicial districts, shall be allowed three dollars for each day's attendance upon the same, and ten cents for each mile traveled to and from Omaha to their respective county seats, to be computed by the nearest traveled route; and the territorial auditor shall issue a warrant to each, for the amount so due, taking his receipt for the same."

All of which is respectfully submitted.

J. E. DOOM,

JOHN McCORMICK,

Committee on the part of the Council.

F. RENNER,

JOHN RITCHIE,

J. W. CHAPMAN,

Committee on the part of the House.

Mr. Little gave notice of a bill to define the duties of territorial auditor, treasurer and school commissioner.

Mr. Jackson gave notice of a bill to compel the holders of warrants of Dakota county, to present the same for examination by the commissioners of said county, that a new issue may be made as far as may be deemed just.

Council bill No. 37 was read a second time by its title, and referred to the committee on agriculture.

House file No. 40 was read for information.

Mr. Mason moved that it lay upon the table.

Carried.

Mr. Marquette moved that the council adjourn till to-morrow morning at 9 o'clock.

Lost.

Mr. Mason moved that the council adjourn until ten o'clock on Monday morning next.

Lost.

The council went into committee of the whole on house file No. 25.

Mr. Mason in the chair.

Committee rose, reported progress and asked leave to sit again.

Mr. Welch moved that the council adjourn until ten o'clock to-morrow morning.

Lost.

Mr. Little moved to adjourn until 10 o'clock on Monday next.

Lost.

The council went into committee of the whole on council bill No. 32.

Mr. Campbell in the chair.

Committee rose, reported the bill back, and recommended its passage.

Mr. Marquette moved that the report of the chairman of the committee of the whole be adopted.

Motion withdrawn.

Mr. Mason moved that council adjourn until 10 o'clock on Monday morning next.

Motion withdrawn for the time.

Mr. Fisher moved that council bill No. 5 be recommitted to a select committee of two.

Carried.

Messrs. Fisher and Butler were appointed said committee.

Mr. Mason renewed his motion, and the council adjourned until Monday morning next at 10 o'clock.

COUNCIL CHAMBER,
Monday, February 1, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

All present except Mr. Clark, who was absent on leave.

Journal read and approved.

Mr. Welch presented a petition from Asa Chillcote and others, praying for the repeal of an act restraining sheep from running at large in Burt county, so far as the same relates to Arizona precinct, in said county.

Mr. Campbell, from the committee on education, submitted the following report, which was laid over under the rule:

Mr. President:

Your committee, to whom was referred council file No. 34, beg leave to report that they have had the same under consideration, and would respectfully recommend that after striking out section ten, the bill do pass.

J. C. CAMPBELL,
A. H. JACKSON,
T. R. FISHER.

Mr. Butler, from a select committee, submitted the following report, which was laid over under the rule:

Mr. President:

Your select committee, to whom was referred council bill No. 22, a bill for the relief of Robert Moorland, would beg leave to report the same back to the council with the evidence of James G. Chapman, without recommendation.

All of which is respectfully submitted.

D. BUTLER,
J. C. CAMPBELL,
JOHN McCORMICK.

Mr. Little asked leave to introduce a bill at any time during the day.

Leave granted.

Mr. Marquette asked leave to submit a report from the committee on the judiciary on house file No. 47, at any time during the day.

Leave granted.

Mr. Welch, on leave, introduced council bill No. 38, entitled an act to repeal an act to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct of said county.

Mr. Little introduced council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company.

Mr. Mason introduced council bill No. 40. A bill for an act to provide for the enrollment of persons subject to military duty.

Mr. Butler introduced council bill No. 41. A bill for an act to amend an act entitled an act in relation to road tax in certain counties, approved January 9, 1862.

Council bill No. 39. Read a first time; and, on motion, read a second time by its title, and referred to committee on corporations.

Council bill No. 38. A bill to repeal an act entitled an act to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct, of said county.

Read a first and second time and referred to committee on agriculture.

Council bill No. 41. Read a first and second time and referred to the committee on the judiciary.

Council bill No. 40. Read a first and second time, and referred to committee on military affairs.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 1, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house has passed house file No. 20. A bill for an act to repeal an act entitled an act to appropriate five hundred dollars to re-survey certain lands known as saline, in Lancaster county, approved January 10, 1862, and for other purposes.

House file No. 42. A bill for an act to locate a territorial road through the county of Polk.

House file No. 49. A bill for an act to repeal an act entitled an act supplementary to an act entitled an act to organize the Nebraska volunteers, approved January 10, 1862.

House file No. 60. A bill for an act to locate a territorial road from Nemaha City, in Nemaha county, to the state line of Kansas.

House file No. 76. A bill for an act to legalize the location of a territorial road from Decatur to Columbus.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

Council bill No. 32. A bill for an act to vacate a part of the town site of Greggspport, in Otoe county.

Read third time.

Bill passed and title agreed to.

Council bill No. 17. A bill for the relief of the families of Nebraska soldiers in the service of the United States.

Mr. Doom moved to recommit to a special committee of three.

Carried.

The chair appointed Messrs. Doom, Welch and Little said committee.

Council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of real and personal property and for the levying and collection of taxes in the Territory.

Mr. Doom moved that the printed bill be substituted for the original bill.

Carried.

The council resolved itself into committee of the whole for the consideration of said bill.

Mr. Mason in the chair.

The committee having been in session several hours, rose, reported progress and asked leave to sit again.

House file No. 25. A bill for an act to incorporate the City of Brownville.

Referred to a select committee of three, consisting of Messrs. Fisher, Marquette and Little.

House file No. 12. A bill for an act to amend an act entitled an act to amend an act entitled an act to incorporate the City of Omaha, approved February 12, 1857.

Read a third time and put upon its passage.

Bill passed and title agreed to.

Council bill No. 29. Bill read for information.

Mr. Butler introduced council bill No. 42. A bill for an act to authorize H. M. Reynolds to dispose of certain lots in the town of Beatrice, N. T.

Bill read a first and second time by its title, and referred to committee on the judiciary.

Mr. Marquette moved that the council adjourn till to-morrow morning at 10 o'clock.

Carried.

COUNCIL CHAMBER,

Tuesday, February 2, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. Porter.

Journal read and approved.

Mr. Welch, from committee on counties, submitted the following report, which was laid over under the rules:

Mr. President:

Your committee, to whom was referred council bill No. 33, an act relative to changing the county seat of Burt county, having had the same under consideration, beg leave to report the same back to the council, without amendment, and recommend its passage.

FRANK WELCH,
H. T. CLARK,
J. C. CAMPBELL.

House file No. 20. A bill for an act to repeal an act entitled an act to appropriate five hundred dollars to re-survey certain lands known as saline, in Lancaster county, approved January 10, 1862, and for other purposes.

Read first time.

On motion of Mr. Marquette, read a second time by its title, and referred to committee on finance, ways and means.

House file No. 76. A bill for an act to legalize the location of a road from Decatur to Columbus.

Read first and second times, and referred to committee on the judiciary.

House file No. 60. A bill for an act to locate a territorial road from Nemaha City, in Nemaha county, to the State line of Kansas.

Read first time.

House file No. 42. A bill for an act to locate a territorial road through the county of Polk.

Read first time.

House file No. 49. A bill for an act to repeal an act supplementary to an act entitled an act to organize the Nebraska volunteers, approved January 1, 1862.

Read first time.

Mr. Mason moved it be read a second time by its title, and referred to committee on military affairs.

Bill so read and referred.

Mr. Mason moved that the council resolve itself into committee of the whole upon council bill No. 11, a bill for an act to revise an act to provide for the valuation and assessment of personal property, and for the levying and collection of taxes in the Territory.

Carried.

Council went into committee of the whole on said bill.

Mr. Mason in the chair.

Pending the consideration of the same, the following message was received from the house:

HOUSE OF REPRESENTATIVES,

February 2, 1864. }

Mr. President:

I am instructed to inform your honorable body that the house has passed

House file No. 33. A bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska, with the following amendment attached thereto:

Strike out the words "of every white male person of the age of 21 years and upward" wherever said words appear in the bill, and insert in lieu thereof "the names of all qualified voters."

House file No. 11. Memorial and joint resolution relative to a mail route.

House file No. 16. A bill for an act to regulate practice and proceedings in chancery.

House file No. 56. A bill for an act to locate a territorial road from Fort Calhoun to Florence.

House file No. 66. A bill for an act to locate a territorial road from Brownville to the Salt Basin.

House file No. 62. A bill for an act to incorporate the Lancaster Salt Company.

House file No. 78. A bill for an act to incorporate the Camp Creek Cemetery Association, of Otoe precinct, Otoe county.

House file No. 77. A bill for an act supplementary to an act to incorporate the town of Fremont.

And the council are respectfully requested to concur therein.

I also return herewith, preamble and resolutions relative to the president's emancipation proclamation, engrossed as by the council requested.

RIENZI STREETER, *Chief Clerk.*

The committee of the whole, having been in session several hours, arose, and through their chairman, reported progress and asked leave to sit again.

Mr. Jackson, from the committee on incorporations, on leave, submitted the report on council bill No. 39, a bill for an act to incorporate the Platte Valley Bridge Company:

Mr. President:

Your committee on incorporations, to whom was referred council bill No. 39, a bill for an act to incorporate the Platte Valley Bridge Company, having had the same under consideration, beg leave to report the accompanying substitute in lieu thereof, and recommend it be printed for the use of the council.

All of which is respectfully submitted.

A. H. JACKSON,
W. A. LITTLE.

Mr. Little moved that the chief clerk be instructed to procure the printing, for the use of the council, of said substitute, and of council bill No. 40, a bill for an act to provide for the enrollment of persons subject to military duty.

Mr. Marquette moved that the council adjourn until to-morrow morning, at 10 o'clock.

Carried.

COUNCIL CHAMBER,
Wednesday, February 3, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Bell called.

Absent—Mr. Campbell.

Journal read and approved.

Mr. Marquette, from the committee on the judiciary, to whom was referred house file No. 47, a bill for an act to attach the north half of the county of Clay to the county of Lancaster, and the south half of said county to the county of Gage, submitted the following report, which was laid over under the rules:

Mr. President:

Your committee to whom was referred house file No. 47, having had the same under consideration, would report the accompanying substitute, and recommend its adoption.

All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

Mr. Welch, from committee on counties, submitted the following report:

Mr. President:

Your committee, to whom was referred a remonstrance of the citizens of Burt county, in relation to the removal of the county seat of said county, having had the same under consideration, beg leave to report the same back without recommendation.

FRANK WELCH,
H. T. CLARK,
J. C. CAMPBELL.

Mr. Doom, from committee on finance, ways and means, submitted the following report:

Mr. President:

Your committee, to whom was referred a joint resolution for the relief of J. W. Hollingshead, have considered the same, and report it back to the council without recommendation.

Your committee have also had under consideration, house file No. 20, and report the same back to the council without recommendation.

J. E. DOOM,
JOHN R. PORTER,
JOHN MCCORMICK.

Mr. Butler, from committee on federal relations, submitted the following report:

Mr. President:

Your committee on federal relations, to whom was referred council bill No. 36, a memorial and joint resolution praying congress for an appropriation to build a penitentiary, have had the same under consideration, and would beg leave to report the same back and recommend its passage.

Also,

Council bill No. 31, and would beg leave to report the same back and recommend that it do not pass.

All of which is respectfully submitted.

D. BUTLER, *Chairman.*

Mr. Fisher, from committee on agriculture, to whom was referred house file No. 23, a bill for an act to amend an act entitled an act to restrain cattle, sheep and swine from running at large in Richland and Fontenelle precincts, in Washington county, approved January 11, 1861, submitted the following report:

To the Honorable Council:

Your committee, to whom was referred house file No. 23, having had the same under consideration, would respectfully report the same back and recommend its passage.

T. R. FISHER,
J. R. PORTER,
J. E. DOOM.

Mr. Marquette, from select committee, submitted the following report:

Mr. President:

Your special committee, to whom was referred house file No. 25, a bill for an act to incorporate the city of Brownville, having had the same under consideration, would report the same back and recommend the adoption of the following amendments:

In the fourth section, second line, strike out the word "five" and insert the word "four."

Your committee would also recommend the following substitute for section forty-two:

This act shall take effect and be in force from and after its passage. All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

House file No. 16. A bill for an act to regulate practice and proceedings in chancery.

Mr. Mason moved that the bill be read first and second times by its title, and referred to committee on the judiciary.

Bill so read and referred.

House file No. 33. A bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska.

Read first time.

House file No. 11. A memorial and joint resolution relative to a mail route.

Read first time.

On motion, read a second time by its title, and referred to committee on federal relations.

House file No 56. A bill for an act to locate a territorial road from Fort Calhoun to Florence.

Read first time.

House file No. 26. A bill for an act to locate a territorial road from Brownville to the Salt Basin.

Read first time.

House file No. 78. A bill for an act to incorporate the Camp Creek Cemetery Association, of Otoe precinct, Otoe county, Nebraska Territory.

Read first time.

Mr. Doom moved that it be read a second time by its title, and referred to committee on incorporations.

Bill so read and referred.

House file No. 77. A bill for an act supplementary to an act to incorporate the town of Fremont.

Read first time.

House file No. 62. A bill for an act to incorporate the Lancaster Salt Company.

Read first time.

House file No. 60. A bill for an act to locate a territorial road from Nemaha City, Nemaha county, to the State line of Kansas.

Read first time.

On motion of Mr. Mason, bill was read a second time by its title, and referred to committee on highways, bridges and ferries.

House file No. 42. Read a second time by its title, and referred to committee on highways, bridges and ferries.

Mr. Little, on leave, introduced council bill No. 43. A bill for an act to require the city authorities of Nebraska City to levy a special tax to pay a certain judgment against said city.

Mr. Jackson, from committee on incorporations, on leave, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred council bill No. 24, a bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute, having considered the same, beg leave to report the same back to the council without recommendation.

A. H. JACKSON,
W. A. LITTLE,
D. BUTLER.

Mr. Little, from the select committee, submitted the following report:

Mr. President:

Your select committee, to whom was referred council bill No. 25, a bill for an act to authorize the territorial auditor to adjust a certain claim, would respectfully report that they have had the same under consideration, and have, in obedience to the order of the council, taken evidence in regard to said claim, and the cash value of the work and labor performed and materials furnished—which evidence is herewith submitted and made a part of this report.

Your committee, find, from the evidence taken that the actual value of the work and materials furnished, amount to the sum of \$821.00, and your committee are further advised by an examination of the books of the territorial auditor and treasurer, that Clark has already received the sum of \$150 in territorial warrants, and that said amount was expended by W. E. Harvey, in procuring printed engravings for said school commissioner's report. And while your committee may be permitted to doubt the wisdom of the act of a former legislature, in ordering the printing of said report, yet the work has been done in obedience to said order, and the Territory has accepted the work and distributed the book throughout the school districts of the Territory, and in the opinion of your committee, the Territory ought to pay for the work at its cash value.

Your committee would therefore recommend the adoption of the following resolution:

Resolved by this Council, That the committee on finance, ways and means, be instructed to report in the general appropriation bill, the sum of \$671, to be paid to M. H. Clark, and authorize the territorial auditor to draw warrants upon the territorial treasury in favor of said Clark to that amount; and that said Clark accept said sum in full satisfaction of his said claim against the Territory for said work and materials, and also assign said claim to the Territory of Nebraska.

All of which is respectfully submitted.

W. A. LITTLE.

O. P. MASON.

MEMORIAL.

To the Council and House of Representatives of the Territory of Nebraska:

Your memorialist would most respectfully represent to your honorable body; that in pursuance of resolutions adopted by the respective bodies composing the legislative assembly of the Territory of Nebraska, at the session of 1860 and 1861, he did as successor of the firm of Robertson and Clark, publish for the use of the legislature, and for distribution by the territorial school commissioner to the various school officers of the Territory, in pamphlet form, one thousand copies of the report of said commissioner; also, two thousand copies of the same, including the school laws, forms and instructions to school officers, and delivered the same to the legislature and school commissioner respectively.

And your memorialist would further represent, that a bill for said printing was regularly made out by the secretary of the Territory, who forwarded the same to Washington for settlement by government, and which said account was disallowed by the comptroller, as appears by a letter received by the secretary from said comptroller, (a copy of which is hereto annexed) on the ground that it was a territorial charge, and for which the Territory must provide.

Your memorialist would therefore most earnestly request, that a

law may be passed by this legislative assembly, authorizing the auditor of the Territory to examine, adjust and issue warrants for the payment of said work.

And your memorialists will ever pray.

M. H. CLARK.

WASHINGTON, AUGUST 8, 1863.

A. S. PADDOCK, Esq.,
Secretary of the Territory,
Omaha Nebraska.

Sir: Yours of the 29th ult., containing a bill of Messrs. Robertson and Clark for printing the second annual report of the commissioner of common schools for your Territory for 1860 and 1861, is received, and in reply I have to inform you that this office cannot authorize the payment of said bill, as it does not belong to territorial printing, contemplated in your instructions, manifestly, it should be paid for out of the territorial treasury.

It has not been the practice of this office to allow bills of this kind.

* * * * *

R. W. TAYLOR, Comptroller.

To Messrs. John R. Porter, J. C. Campbell and J. E. Doom, committee on expenditures, (on the part of the legislative council of the Territory of Nebraska.)

Gentlemen:

In compliance with your written request, communicated to us on yesterday, we have estimated the work performed by Merrils H. Clark in publishing the second annual report of the territorial school commissioner, and respectfully submit the following

REPORT.

Total composition on work,-----	468,000 ems.
Total press work,-----	220 tokens.
Total paper,-----	28 reams.
Total paper on covers,-----	1 ream.
Folding and stitching,-----	\$25 00

We estimate only the *quantities* of the different descriptions of work, except as to folding and stitching, to which we have affixed a price—leaving the question of compensation to the unbiased action of the legislature.

E. B. TAYLOR.
T. R. FISHER.

In the matter of the application of M. H. Clark, for the payment by the Territory of his bill for furnishing materials and the labor in printing the second annual report of the school commissioner, made to the seventh legislative assembly of the Territory of Nebraska, the following testimony was taken:

E. B. Taylor being first duly sworn on oath, says:

I have examined and measured the second annual report of the commissioner of common schools, made to the legislative assembly of

this Territory, at the session of 1860 and 1861, as printed, and find the following quantities:

Nonpareil rule and figure work, two hundred thousand ems.

Long primer, three hundred and fifty-four thousand and six hundred ems.

Brevier, three thousand ems.

Composition on cover, two thousand four hundred ems.

Making the total composition, five hundred and sixty thousand ems.

Press work, two hundred and thirty tokens.

Paper, twenty-seven reams at \$7,50 per ream, \$202,50.

Paper for one thousand reports, one ream,----- \$7 50

Paper for covers, one ream,----- 10 00

Folding and stitching entire work,----- 25 00

In regard to the value of the work at the time the same was done, and the materials furnished, Mr. Fisher and myself have agreed upon the following estimate:

560,000 ems composition at 70 cts.----- \$392 00

230 tokens press work at 80cts.----- 184 00

27 reams of paper for the large balance, at \$7,50 per ream-- 202 50

One ream for the 1,000 copies of the small report,----- 7 50

One ream of paper for covers,----- 10 00

Folding and stitching,----- 25 00

Making in all,----- \$820 00

The above estimate, in my judgment, was the cash value of the work and materials at the date of the execution of the work which was done in the spring and summer of A. D., 1861.

If I had been called upon to perform this work, I would have charged the prices above stated.

E. B. TAYLOR.

T. R. Fisher being first duly sworn, deposeth and says: I have carefully read and examined the evidence and estimates given and stated by Mr. Taylor, the witness above named, and I fully corroborate his evidence. I was engaged in a printing office in the years 1860 and 1861, at Brownsville, Nebraska. I am a practical printer. My opinion is, that the paper used in the printing of the work at the time the work was done, could have been laid down on the bank of the Missouri river, at Brownville or this place, at \$4.75 per ream. The customary advance charged by the printers on their paper, for a job of the size of the one under consideration, was fifty per cent. on the total cost. We estimated for two thousand copies of the report and accompanying documents, and one thousand copies of the report, proper, which was a pamphlet of twelve pages. The work was well done.

T. R. FISHER.

E. B. Taylor re-examined.

I suppose I know something of the number of reports of the school commissioner and accompanying documents, printed by M. H. Clark, in the year 1860 and 1861. I have the statement of the territorial

auditor and school commissioner that the number of the large volume printed and delivered to him, the auditor, was about 2,100 copies. I have also the statement of the pressman, who worked off the different forms, that the number was a little less than two thousand copies of the report and accompanying documents. As to the number of the report proper, or twelve-page pamphlet, I know nothing.

E. B. TAYLOR.

M. H. Clark being first duly sworn, deposeth and says: I know that I delivered to the territorial auditor, a little over two thousand copies of the report and accompanying documents of the school commissioners. I also delivered to the legislative assembly of Nebraska, one thousand copies of the report proper, containing twelve pages, at the session of 1860 and 1861. The actual cost at the time the work was done, of the paper upon which the report was printed, was four dollars and eighty cents per ream, at wholesale prices. The work was done in the spring and summer of the year 1861, and in obedience to the following order of the two houses of the legislative assembly of the Territory of Nebraska:

HOUSE OF REPRESENTATIVES,

Wednesday, January 9, 1864.

Resolved, That two thousand copies of the school commissioners' report, together with the school laws and accompanying documents, be printed and distributed under the supervision of the school commissioner—equally among the several officers in the Territory.

GEORGE L. SEYBOLT, *Chief Clerk*.

COUNCIL CHAMBER,

January 9, 1864.

Mr. Dundy, of Richardson county, moved that one thousand copies of the report of commissioner of schools, with the laws and accompanying documents, be printed for the use of the council.

Carried.

E. P. BREWSTER, *Chief Clerk*.

M. H. CLARK.

MESSAGE FROM THE HOUSE.

Mr. President:

I herewith return to your honorable body, council bill No. 10. A bill for an act to create and regulate railroad companies, the same having passed the house with sundry amendments attached thereto.

RIENZI STREETER, *Chief Clerk*.

On motion, council bill No. 43, a bill for an act to require the city authorities of Nebraska City to levy a special tax to pay a certain judgment against said city, was read a first and second time by its title, and referred to the delegation from Otoe county, Messrs. Mason and Campbell.

The council now resolved itself into committee of the whole for the

consideration of council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory.

Mr. Mason in the chair.

The committee of the whole having been in session some time, arose, and the chairman submitted the following report:

The committee of the whole, having had under consideration council bill No. 11, have instructed me to report the same back to the council, with the several amendments of said committee.

Mr. Little moved that the council now take up council bill No. 10. A bill for an act to create and regulate railroad companies.

Carried.

Mr. Mason moved that the council do not concur in the amendments of the house to section 39 of said bill.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Fisher, Marquette and Mason—5.

Nays—Messrs. Clark, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Lost.

Mr. Little moved that the council concur in the amendments of the house to section thirty-nine.

Mr. Mason moved to lay the motion on the table.

Upon which, the ayes and nays were demanded.

Ayes—Messrs. Butler, Campbell, Fisher, Marquette and Mason—5.

Nays—Messrs. Clark, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Lost.

The question now recurring upon the motion to concur, the ayes and nays were demanded.

Ayes—Messrs. Clark, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Nays—Messrs. Butler, Campbell, Fisher, Marquette and Mason—5.

Carried.

Mr. Clark moved that the council concur in the amendments made by the house to section 50.

Carried.

Mr. Little moved that the council concur in the house amendments to section 51.

On motion of Mr. Little, the bill was ordered enrolled.

Mr. Butler, on leave, introduced council bill No. 44. A bill for an act to incorporate the Pawnee Cemetery Association, Pawnee City, Nebraska Territory.

Mr. Little, by unanimous consent, introduced council bill No. 45. A bill for an act to repeal an act entitled an act to change and re-define the boundaries of Hall county.

The council now resolved itself into committee of the whole upon

council bill No. 29. A bill for an act to amend an act entitled an act respecting elections.

Mr. Welch in the chair.

The committee having considered the same, arose, and reported the following amendment:

In section 2, sixteenth line, after the word "same," strike out all to the word "and" in the seventeenth line.

Council bill No. 25. A bill for an act to authorize the territorial auditor to adjust a certain claim.

Mr. Little moved to lay the bill on the table.

Carried.

Council bill No. 36. Memorial and joint resolution praying for an appropriation to build a penitentiary.

Mr. Jackson moved to re-commit to committee on education.

Lost.

Mr. Clark moved to re-commit to a select committee of three.

Carried.

The chair appointed Messrs. Clark, Marquette and Campbell said committee.

Council bill No. 33. A bill for an act relative to changing the county seat of Burt county.

Upon consideration of the report of the committee on counties, recommending the passage of the bill, various petitions and remonstrances were read and considered.

Upon motion, the report was adopted.

Mr. Marquette moved that the bill be read a third time and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—10.

Nays—Messrs. Little and Mason—2.

Carried.

Bill passed.

House file No. 20. A bill for an act to repeal an act entitled an act to appropriate five hundred dollars to re-survey certain lands known to be saline, in Lancaster county, approved January 10, 1862, and for other purposes.

Bill read for information.

Mr. Little moved to strike out sections from two to six, inclusive.

Mr. Jackson moved a call of the house.

Absent—Mr. Mason.

Mr. Little moved that the sergeant-at-arms be dispatched after absentee.

Carried.

Mr. Mason appearing within the bar, all further proceedings under the call of the house, was dispensed with.

Mr. Mason moved that the council adjourn till to-morrow morning at 10 o'clock.

Lost.

The question recurring upon the motion of Mr. Little,

The ayes and nays were demanded.

Ayes—Messrs. Little, Mason, McCormick and Porter—4.

Nays—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette and Welch—8.

Motion lost.

Mr. Mason moved that the bill be indefinitely postponed.

Upon which the ayes and nays were demanded.

Ayes—Messrs. Little, Mason, McCormick and Porter—4.

Nays—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette and Welch—8.

Motion lost.

Mr. Jackson moved a call of the house.

All present.

Mr. Marquette moved that all further proceedings under the call be dispensed with.

Carried.

Mr. Campbell moved that Mr. Mason be excused from attendance for the day.

Lost.

Mr. Marquette moved that the bill be read a third time and put upon its passage.

Mr. Mason moved that the council adjourn till to-morrow morning at 10 o'clock.

Ayes and nays demanded.

Ayes—Messrs. Little, Mason, McCormick and Porter—4.

Nays—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette and Welch—8.

Lost.

Mr. Marquette called the previous question upon his motion to read the bill a third time, which was sustained, and the main question ordered.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette and Welch—8.

Nays—Messrs. Little, McCormick and Porter—3.

Bill passed and title agreed to.

Mr. Marquette moved that the council adjourn until to-morrow morning at 10 o'clock.

Carried.

COUNCIL CHAMBER,

Thursday, February 4, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Fisher and Mason.

Journal read and approved.

Mr. Mason presented a petition from Jacob Davison and some thirty others, and a letter from John S. Gregory, Jr., in reference to the partition of Clay county, Nebraska.

Mr. Marquette, from the committee on the judiciary, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 35, an act to authorize the governor of this Territory to offer rewards for the apprehension and conviction of criminals, having had the same under consideration, would report the same back to the council and recommend its passage.

Also,

House file No. 8. A bill for an act to amend section two (2) of an act entitled an act to establish a code of civil procedure, approved November 4, 1858, and would recommend that section one of said act be amended as follows:

Provided, that any and all rights which have attached, by virtue of the provisions contained in any of the chapters, acts or parts of acts, repealed by this act, under any cause of action accruing before the taking effect of this act, shall not, in any manner be affected by the provisions of this act.

All of which is respectfully submitted.

T. M. MARQUETTE.

Mr. Mason moved that council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory, be engrossed as far as the thirty-sixth section.

Carried.

Mr. Jackson, from the committee on incorporations, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred house file No. 78, a bill for an act to incorporate the Camp Creek Cemetery Association, of Otoe precinct, Otoe county, having had the same under

consideration, beg leave to report the same back to the council without recommendation.

A. H. JACKSON,
W. A. LITTLE,
D. BUTLER.

Mr. Porter, from committee on agriculture, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 38, having had the same under consideration, would report the same back and recommend its passage.

T. R. FISHER,
J. R. PORTER,
J. E. DOOM.

Mr. McCormick, from committee on highways, bridges and ferries, submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 42, a bill for an act to locate a territorial road through the county of Polk, beg leave to report the same back and recommend its passage.

Also,

House file No. 60. A bill for an act to locate a territorial road from Nemaha City, in Nemaha county, to the State line of Kansas, beg leave to report the same back and recommend its passage.

JOHN MCCORMICK,
FRANK WELCH,
T. R. FISHER.

Mr. Marquette gave notice of a bill to authorize John Inhelder to erect and keep a mill-dam across Cedar Creek, in Cass county.

Mr. Porter gave notice of a bill to provide for the payment for services rendered in opening the books of the territorial treasurer's office.

Also,

A bill to authorize the auditor to pay the balance due on certain salaries.

Council bill No. 45. A bill for an act to repeal an act to change and re-define the boundaries of Hall county, approved February 1, 1864.

Read first time.

Mr. Little moved the bill be read a second time by its title.

Carried.

Mr. Little presented statements and resolutions from the citizens of the county of Merrick, which were read, protesting against the change made by said bill.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, }
February 4, 1864. }

Mr. President:

The governor directs me to inform your honorable body that he has signed and approve the following bill:

An act to apportion and define councilman districts.

E. P. BREWSTER, *Private Secretary.*

Mr. Butler moved that council bill No. 45, and petitions and statements relating thereto, be referred to committee on counties.

There being no objection, the bill and papers were so referred.

House file No. 56. A bill for an act to locate a territorial road from Fort Calhoun to Florence, Nebraska Territory.

Read a second time and referred to committee on highways; bridges and ferries.

House file No. 33. A bill for an act to provide for the enumeration of residents within the Territory of Nebraska.

Read first and second times, and referred to committee on expenditures.

House file No. 62. A bill for an act to incorporate the Lancaster Salt Company.

Bill read a second time.

Mr. Little moved that the bill be laid upon the table.

Lost.

Mr. Marquette moved that the bill be referred to committee on incorporations.

Carried.

House file No. 77. A bill for an act supplementary to an act to incorporate the town of Fremont.

Read a second time.

Mr. Mason moved that the bill be indefinitely postponed.

Carried.

House file No. 60. A bill for an act to locate a territorial road from Brownville to the Salt Basin.

Read a second time by its title, and referred to committee on highways, bridges and ferries.

Mr. Jackson, on leave, introduced council bill No. 46. A bill for an act to amend an act entitled an act regulating ferries.

Mr. Clark, from select committee, on leave, submitted the following report:

Mr. President:

Your committee, to whom was referred memorial to congress praying for an appropriation to build a penitentiary, would report the same back and recommend its passage.

H. T. CLARK, *Chairman.*

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 4, 1864.

Mr. President:

I am instructed to inform your honorable body that the house have passed

House file No. 45. A bill for an act to amend an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, approved January 13, 1860.

House file No. 58. A bill for an act authorizing William W. Wood and Charles Libby, to keep a mill-dam across the Great Nemaha River, in Johnson county.

House file No. 73. A bill for an act to amend an act entitled an act to protect game in the Territory of Nebraska.

House file No. 79. A bill for an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.

House file No. 81. A bill for an act to authorize James Folden, his successors and assigns, to keep a mill-dam across the main branch of the Weeping Water, in Cass county.

House file No. 87. A bill for an act to divert a portion of the road fund of Dakota county to school purposes.

House file No. 88. A bill for an act to restrain sheep and swine from running at large in Dixon county.

House file No. 90. A bill for an act to restrain swine from running at large in Richardson county.

House file No. 91. A bill for an act to regulate weights and measures.

House file No. 92. A bill for an act to entitled an act to regulate actions relative to real estate in certain cases.

House file No. 97. A bill for an act to incorporate the Evangelical Church of Arago.

And the concurrence of the council is respectfully requested.

I herewith return to you council bill No. 26. Joint resolution.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Council bill No. 46. A bill for an act to amend an act entitled an act to regulate ferries.

Read for information.

Mr. Jackson moved that the bill be read first and second times by its title, and referred to the appropriate committee.

Motion lost.

Mr. Mason moved that the bill be referred to a select committee of three.

Carried.

The chair appointed Messrs. Mason, Jackson and Welch, said committee.

Council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company, was taken up.

Mr. Mason made the following motion, upon which the ayes and nays were demanded:

That all general laws upon the speaker's table take precedence of special laws in the order of business.

Ayes—Messrs. Campbell, Fisher, Marquette and Mason—4.

Nays—Messrs. Butler, Clark, Doom, Jackson, Little, McCormick, Porter and Welch—8.

Motion lost.

Mr. Doom moved that the council go into committee of the whole on house file No. 39, a bill for an act to amend an act entitled an act to provide for an estray law, approved January 11, 1861.

Carried.

The council went into committee of the whole.

Mr. Fisher in the chair.

After having been in session some time, the committee rose, and the chairman submitted the following report:—

Mr. President:

The committee of the whole having had under consideration house file No. 39, a bill for an act to amend an act entitled an act to provide for an estray law, approved January 11, 1861, report the same back with the following amendments:

In place of section one substitute the following:

Be it enacted by the Council and House of Representatives of the Territory of Nebraska, That any householder, living without the corporate limits of any town, city or village, within the Territory of Nebraska, may take up any stray horse, mule, ass, neat cattle, sheep and swine, found within his inclosed premises. At any season of the year any estray found around the premises of any householder living without the corporate limits of any town, city or village as aforesaid, between the first of November and the first day of April, may be taken up by such householder; and any horse, mule or ass, with any portion of harness attached to them, and any oxen with the yoke on, that are believed to have strayed away from their owner, may be taken up by any householder as aforesaid, at any time.

Between sections first and second of the bill, insert the following section:

Section second of the present law shall be so amended as to read :

It shall be the duty of any person taking up any estray, required to be advertised and sold under the provisions of this act, to send a description of the same to the county clerk, within two weeks after taking it up ; and to file with such clerk, for the faithful performance of the provisions of this act, a bond, with good and sufficient sureties, equal in amount to double the value of the estray or estrays, and the said clerk shall immediately record the same in a book kept for that purpose. The person taking up the estray, shall, also, within two weeks thereafter, procure the publication of the description of such animal, in any one newspaper published within the county.

In the first line of section three, insert the word "willfully" before the word "violating."

The following section was substituted for fifth section :

SEC. 5. Sections ten, eleven, thirteen and fourteen, of the act to which this act is amendatory, and all acts and parts of acts, so far as the same are inconsistent with this act, are hereby repealed; *Provided*, that all proceedings now pending in regard to estrays, shall be prosecuted to final conclusion, the same as though this act had never been passed.

Insert between sections five and six of the bill, the following section :

Section thirteen of the estray law shall be amended so as to read as follows :

The justice of the peace shall receive for his services the sum of fifty cents, but the appraisers shall be entitled to no compensation.

Council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company, being taken up,

The council went into committee of the whole for the consideration of the same.

Mr. Porter in the chair.

The committee having been in session several hours, rose, and through their chairman reported progress and asked leave to sit again.

Mr. Doom moved that the council adjourn until 10 o'clock to-morrow morning.

Carried.

COUNCIL CHAMBER,

Friday, February 5, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

All the members present.

Journal read and approved.

Council bill No. 47. Mr. Mason, on leave, introduced council bill No. 47. A bill for an act to encourage the introduction and raising of sheep in Nebraska.

Mr. Fisher, on leave, introduced council bill No. 48. A bill for an act to provide for the safe keeping of books, papers and documents belonging to the territorial library.

Mr. Mason from select committee, submitted the following report:

Mr. President:

Your special committee, to whom was referred council bill No. 43, a bill for an act to require the city authorities of Nebraska City, to levy a special tax to pay a certain payment against said city, having had the same under consideration, beg leave to report the same back to the council without amendment, and recommend the passage of said bill.

O. P. MASON, *Chairman.*

Mr. Jackson, from committee on incorporations:

Mr. President:

Your committee on incorporations, to whom was referred house file No. 62, a bill for an act to incorporate the Lancaster Salt Company, having had the same under consideration, beg leave to report the same back to the council without recommendation.

Respectfully submitted,

A. H. JACKSON, *Chairman.*

W. A. LITTLE

D. BUTLER.

Mr. Mason from select committee, submitted the following report:

Mr. President:

Your special committee, to whom was referred substitute for council bill No. 9, reported by committee on agriculture, report the same back to the council, and recommend that it be laid upon the table.

O. P. MASON, *Chairman.*

Mr. Mason, from committee on military affairs, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. —, an act to provide for the enrollment of the militia, &c., having had the same under consideration, beg leave to report the same back and recommend its passage.

O. P. MASON, *Chairman.*

A. H. JACKSON.

Mr. Marquette, from committee on the judiciary, submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 16, a bill for an act to regulate practice and proceedings in chancery, having had the same under consideration, would beg leave to report it back to the council, and would recommend that a sufficient number of copies of the same be printed for the use of the council.

T. M. MARQUETTE, *Chairman.*

Mr. Porter, from committee on expenditures, submitted the following report:

Mr. President:

Your committee on expenditures, to whom was referred house file No. 33, a bill for an act entitled an act, to provide for the enumeration of the residents within the Territory of Nebraska, have had the same under consideration, and find that there has already been passed, a law covering the same, and beg leave to report the bill back, and recommend that it do not pass.

JOHN C. CAMPBELL.

JOHN R. PORTER.

J. E. DOOM.

Mr. Butler, from committee on federal relations, submitted the following report:

Mr. President:

Your committee on federal relations, to whom was referred house file No. 11, a memorial and joint resolution relative to a mail route, have had the same under consideration, and would beg leave to report the same back and recommend its passage.

D. BUTLER, *Chairman.*

T. M. MARQUETTE.

Mr. Fisher from select committee, submitted the following report:

To the honorable Council:

Your select committee, to whom was referred council bill No. 5, a bill to incorporate the Walnut Grove Cemetery Association, having had the same under consideration, report the same back with the accompanying amendments:

T. R. FISHER.

D. BUTLER.

In section 7, second line, strike out the word "alone," and insert the word "only."

In section 6, third line from the bottom, insert after the word "limits," "except in cases of funeral ceremony."

After section 7, insert the following, (section to be numbered section 8:) "Nothing in this act shall impair the rights of any of the present lot owners in such cemetery."

Change the number of section eight in the bill, to number nine.

NOTICES AND INTRODUCTION OF BILLS.

Mr. Marquette introduced council bill No. 49. A bill for an act to authorize John Inhelder to erect a mill-dam across Cedar Creek, Cass county, Nebraska Territory.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 5, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house has passed house file No. 37. A bill for an act to create the office of assessor, in the counties of Platte, Lancaster, Dakota, Hall, Buffalo and Kearney.

House file No. 67. A bill for an act to regulate marriages.

House file No. 71. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Fremont, in Dodge county.

House file No. 86. A bill for an act to restrain stock from running at large in Hall county, and in the Kelly precinct, Douglas county, Nebraska Territory.

House file No. 94. A bill for an act to amend section 3, of chapter 35, of an act entitled an act, respecting practice and proceedings in courts of justice, and for other purposes, approved February 13th, 1857.

House file No. 99. Substitute for a bill entitled an act, to encourage the cultivation of fruit and forest trees, and grape vines.

House file No. 108. A bill for an act to restrain horses and cattle from running at large in Niobrarah precinct, Leau-qui-court county.

House file No. 110. A bill for an act to vacate blocks No. twelve (12) and sixteen, (16) in the town of Ponca in Dixon county.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, Chief Clerk.

Mr. Little moved to take up and consider the following resolution, reported by a select committee, to whom was referred council bill No. 25. A bill for an act to authorize the territorial auditor to adjust a certain claim.

Resolved by this Council, That the committee on finance, ways and means, be instructed to report in the general appropriation bill, the sum of \$671, to be paid to M. H. Clark, and authorize the territorial auditor to draw warrants upon the territorial treasury in favor of said clark to that amount, and that said clark accept said sum in full satisfaction of his said claim against the Territory, for said work and materials, and also assign said claim to the Territory of Nebraska.

Mr. Little moved that the resolution be adopted.

Carried.

BILLS ON FIRST READING.

Council bill No. 48. A bill for an act to provide for the safe keep-

ing of books, papers and documents belonging to the territorial library.

Bill read first time.

Mr. Marquette, by leave, submitted the following report from committee on joint rules:

Mr. President:

Your committee, appointed to act with a like committee from the house, relative to joint rules for both houses, would recommend that the council adopt the joint rules of the last session of the legislative assembly.

T. M. MARQUETTE, *Chairman.*

Report adopted.

Council bill No. 47. A bill for an act to encourage the introduction and raising of sheep in Nebraska.

Read first time.

On motion,

Read a second time by its title, and referred to committee on judiciary.

Council bill No. 49. A bill for an act to enable John Inhelder to erect a mill-dam across Cedar creek, Cass county, Nebraska Territory.

Bill read first time.

Mr. Little moved, that the bill be read a second time by its title, and referred to a select committee, consisting of the members from Cass county, Messrs. Marquette and Doom.

Carried.

Bill so read and referred.

Council bill No. 44. A bill for an act to incorporate the Pawnee City Cemetery Association, Pawnee City, Nebraska Territory.

Read first time.

Mr. Butler moved, that the bill be read a second time by its title, and referred to committee on incorporations.

Carried.

Bill so read and referred.

House file No. 92. A bill for an act to regulate actions, relative to real estate in certain cases.

Read first time.

Mr. Little moved, that the bill be read a second time by its title, and referred to committee on judiciary.

Carried.

The bill was so read and referred.

House file No. 45. A bill for an act to amend an act, entitled an act, of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, approved January 16th, 1860.

Bill read first time.

On motion, read a second time by its title, and referred to committee on judiciary.

House file No. 91. A bill for an act to regulate weights and measures.

Bill read first time.

On motion, bill read a second time by its title, and referred to a select committee of three, consisting of Messrs. McCormick, Mason and Butler.

House file No. 97. A bill for an act to incorporate the Evangelical Church of Arago.

Read first time.

House file No. 73. A bill for an act to amend an act, entitled an act, to protect game in the Territory of Nebraska.

Bill read first time.

Mr. Clark moved, that the bill be read a second time by its title, and referred to committee on agriculture.

Carried.

Bill so read and referred.

House file No. 79. A bill for an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward, Nebraska Territory.

Read first time.

Mr. Doom moved, that the bill be read a second time by its title.

Objection being made, the bill laid over under the rules.

House file No. 87. A bill for an act to divert a portion of the road tax of Dakota county.

Read first time.

House file No. 88. A bill for an act to restrain sheep and swine from running at large in the county of Dixon.

Bill read a first time.

House file No. 90. A bill for an act to restrain swine from running at large in Richardson county.

Read first time.

Mr. Butler moved the bill be read a second time by its title.

Objection being made, the bill laid over.

Mr. Clark moved that a special committee of three be appointed to prepare and report a bill for a general herd law.

Motion withdrawn.

Mr. Mason offered the following resolution:

Resolved, That a special committee of three be appointed to prepare and report a general night herd law.

Motion lost.

House file No. 81. A bill for an act to authorize — Folden, his successors and assigns to keep a dam across the main branch of the Weeping Water, Cass county.

Read first time.

Mr. Doom moved that the bill be read a second time by its title, and referred to a committee consisting of the members from Cass county, Messrs. Doom and Marquette.

Bill so read and referred.

House file No. 58. A bill for an act to authorize William W. Wood and Charles Libby to keep a mill-dam across the Great Nemaha river, in Johnson county, N. T.

Bill read first time.

The council now resolved itself into committee of the whole for the consideration of council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska.

The committee having been in session several hours, rose, and through their chairman, made the following complete report of the amendments proposed at the several sittings of the same, which report was adopted.

The committee, in the first place, concur in the following amendments to council bill No. 11, recommended by the joint committee on finance:

Section 2, fourth line, after the words "ferry franchises," insert "and toll-bridges."

Section 2, sixteenth line, strike out the word "also," before "all moneys."

Section 2, sixteenth line, after the word "merchandizes," insert "personal property of every description, belonging to persons or companies doing a freighting or transporting business across the plains, shall be valued at the usual price of similar property, at the time and place of listing; and shall be assessed at the respective places of residence of each person or persons."

Section 4, first line, after the word "year," insert "at its actual value, at the place of listing the same."

Section 7, first line, strike out the words "or diminished, or varied,"

Section 9, after the word "required" insert "to be listed."

Section 15, fourth line, strike out the word "still" and insert "shall."

Section 17. In lieu thereof, substitute the following:

The president, secretary, or principal accounting officer of every canal or slackwater navigation company, railroad company, turnpike company, plank-road company, bridge company, insurance company, tele-

graph company, or other joint stock company, except banking or other corporations, whose taxation is specifically provided for in this act, for whatever purpose they may have been created, whether incorporated by any law of this Territory or not, shall list for taxation, verified by the oath or affirmation of the person so listing. All the personal property, which shall be held to include road-bed, depots, water, and wood stations, and such other realty as is necessary to the daily running operations of the road; moneys and credits of such company or corporations, within the Territory, at the actual value, in money, in manner following: In all cases, return shall be made to the several clerks of the respective counties, where such property may be situated, together with a statement of the amount of said property, which is situated in each incorporated village or city therein, the value of all moveable property shall be added to the stationary and fixed property, and real estate, and apportioned to such cities or incorporated villages, pro rata, in proportion to the value of the real estate, and fixed property, in said cities or incorporated villages. And all property, so listed, shall be subject to, and pay the same taxes as other property listed in such city or incorporated village. It shall be the duty of the accounting officer aforesaid, to make return to the auditor of the Territory before the first Monday of May, in each year, the aggregate amount of all property by him returned, as required by the provisions of this act, to the several clerks of the respective counties, in which the same may be located. If the county clerk, to whom returns are made, is of the opinion that false or incorrect valuations have been made, or, that the property of the corporation or association has not been listed in the location where it properly belongs, or, in cases where no return has been made to the county clerk; he is hereby required to proceed to have the same valued and assessed in the same manner as is prescribed in the several sections of this act, regulating the listing, valuation and assessment of real and personal property. The returns required by this section, to be made by the accounting officers of corporations or companies to the county clerks, shall be made on or before the first Monday of April of each year.

Section 19, first line, strike out the words "except mutual insurance companies, chartered in other states."

Section 22, fourth line, strike out the word "chapter" and insert "act."

Section 23, fourth line, strike out the word "chapter" and insert "act."

Section 29, first line, strike out the word "governor."

Section 29, second line, after the word "equalization," insert "or a majority of them."

Section 30, fourth line, after the word "nor," strike out the word "less" and insert the word "more."

Section 31, seventh line, strike out "twenty-nine" and insert "thirty."

Section 33, fifth line, strike out "twenty-nine" and insert "thirty."

Section 33, eighth line, after the word "dollar" insert "and fifty cents."

Section 34, after the word "levied" add, "unless the qualified voters of the same shall so direct, at a meeting called for that purpose; of which meeting, at least ten days' notice shall be given, either by publication in some newspaper in the district, or by posting written notices in at least three public places in the district."

Section 50, fourth line, strike out the word "assessor" and insert "county clerk."

Section 50, fifth line, strike out the words "assessment roll" and insert "tax list."

Section 51, fourth line, after the word "directed" insert "and required."

Section 51, fourth line, strike out the word "make" and insert "collect."

Section 51, sixth line, after the word "sale" add, "*Provided*, that in case any person having only personal property assessed, and upon which the taxes are unpaid, should in the opinion of the treasurer, be about to move out of the county, it shall be the duty of the treasurer to collect such taxes at any time after the tax duplicates has been placed in his hands."

Section 52, first line, strike out the word "that."

Section 60, fourth line, strike out "the sale is complete," and insert "all the lands and lots or blocks have been offered."

Section 65, tenth line, after the word "cases" add, "and write thereon: Sold for taxes at public sale."

Section 66, second line, after the word "with," insert "the necessary amount of United States revenue stamps, and."

Section 67 change to section 68.

Section 67, fourth line, strike out the word "sale," and insert "purchase."

Section 67, seventh line, after the word "same" insert "and file a duplicate of the same with the county clerk, as in other cases."

Section 67, eighth line, after the word "attorney" add, "provided that."

Section 68. Is added to section 67 and 68 instead.

Section 73, second line, after the word "other" insert "name."

Section 74, second line, after the word "sales" insert "the sales."

Section 76, fourth line, strike out the word "will" and insert "shall."

Section 76, fourth line, after the word "recover," insert the words "the same."

Section 79, first line, after the word "license" insert the words "shall be deemed."

Section 79, sixth line, strike out the word "refusing" and insert "refuse."

Section 80, fourth line, strike out "October," and insert "November."

Section 80, fifth line, before the word "each" insert "November."

Section 80, sixth line, after the word "taxes" insert "in coin."

Section 80, seventh line, strike out the word "five" and insert "ten."

Section 82, second line, strike out "April" and insert "May."

Your committee also recommend the following amendments in addition thereto:

Section 22, strike out all after the word "control," in the sixth line, to the word "at" in the ninth line.

Section 33, eighth line, between the words "dollar" and "per," insert the words "and fifty."

Section 40, third line, strike out the words "and city scrip."

Section 50, fourth line, before the word "ascertain" insert the word "shall." Also, strike out the word "assessor" and insert "county clerk." In fifth line, strike out "assessment roll" and "tax list."

Section 51, fourth line, after the word "directed" insert "and required." Also, after the word "to," in the same line, insert "collect."

Section 57, second line, strike out the word "or" and insert "and."

Section 59. In the sixth line, after the word "held," insert "or at the usual place of the meeting of the county commissioners. And at the end of said section add, "of said newspapers."

Section 63, fifth line, before the word "evidence" insert *prima facie*."

Section 65, tenth line, after the word "cases," insert the words "and write thereon: Sold at public sale."

Section 67, line four, strike out "sale" and insert "purchase."

Section 71. Strike out all after the word "sold" in the fourth line.

Section 72, second line, strike out the word "conclusive" and insert "*prima facie*." Also, strike out all after the word "recited," in the third line, to the word "and," first occurring in the sixth line.

Section 74. Strike out said section.

Section 75. In section 75, third line, after the word "proof" insert "and give bond to the Territory of Nebraska, in a sum equal to the value of the property conveyed, as in cases of lost notes or other commercial paper." After the word "proof," in fourth line, insert "and bond."

Section 89, tenth line, after the word "commissioners" strike out all to the word "each" in the 11th line.

Section 90, fourth line, strike out all after the word "impaired" and insert "or in anywise affected by the passage of this act."

Section 33, ninth line, after the word "done" insert the following: With his sworn affidavit attached to said certificate that ten hours actual labor has been done for each days' work certified in road certificate, naming therein the person who did such labor, and the time when and in what road district the same was done. And no treasurer shall receive any certificate in discharge of any road tax herein provided for without such sworn affidavit accompanying the same.

Mr. Mason moved that the bill, as amended, be engrossed.

Carried.

Mr. Marquette moved that the usual number of copies of house file No. 16, a bill for an act to regulate practice and proceedings in chancery, be ordered printed for the use of the council.

Carried.

Mr. Marquette, by leave, offered the following resolution, which was read for information:

Resolved, That the 25th rule of this council be so amended as to read as follows:

Every bill shall receive three readings previous to being passed, and the president shall give notice at each reading whether it be the first, second or third; which readings shall be on three different days unless two-thirds of the council shall otherwise direct; and all resolutions to which the approbation and signature of the Governor may be requisite, or which may grant money out of the contingent, or any other fund, shall be treated in all respects, in the introduction and form of proceedings on them, in the council, in a similar manner with bills. All other resolutions shall lie on the table one day for consideration, and also reports of committees, unless, by a two-thirds vote, the council shall otherwise order.

The council now went into committee of the whole on substitute for council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company.

Mr. Porter in the chair.

The committee having been in session some time, rose, and through the chairman submitted the following report:

Mr. President:

The committee of the whole having had under consideration the substitute reported by the committee on incorporations, for council bill No. 39, a bill for an act to incorporate the Platte Valley Bridge Company, have directed me, as their chairman, to report the same back to the council with the following amendments, and recommend their adoption:

In the fourteenth and fifteenth lines of the first section, strike out the words "or useful to a corporation." After the word "requisite," in the fourteenth line, strike out the word "necessary" and insert the following: "and necessary to carry into effect the provisions of this act." Add at the end of the second section, the words: "immediately upon such selection being made." In same section, line 20th, strike out the word "ten," and insert the word "five." In section No. 9, ninth line, strike out the words "then actually subscribed," and insert the words "actually paid in." Also, in the same section, seventh line, strike out the word "one-half" and insert the word "three-fourths."

In the 9th section, thirty-second line, insert after the word "determine," the following: "*Provided*, said bonds shall not be negotiated for less than three-fourths of the value expressed upon their face."

In section 10, last line, strike out the word "perpetually," and insert the words "for sixty years." In same section, line twelfth, after the word "within," strike out the word "two" and insert the word "one." Add, as section 11, the following:

Sec. 11. In case the said corporation shall at any time deem it expedient to sell its bridge over the South Fork river, to any railroad company, to be used thereafter for railroad purposes only, it shall have power to make such sale and transfer said bridge to such railroad.

road company; and in case of such sale, the said corporation shall have the privilege, at any time within two years thereafter, of erecting a new toll-bridge in place of the one so sold as aforesaid, at any point within the limits of five miles therefrom on said South Fork river, over which exclusive privileges are granted by this act, and all the provisions of this act shall be applicable to said new bridge; provided, however, that if said corporation shall fail to erect such new bridge within two years after such sale and transfer, as aforesaid, it shall forfeit all the rights and privileges secured to the said corporation by this act in respect to the river upon which the bridge so sold as aforesaid, is built.

Add as section 12, the following:

SEC. 12. The directors of the said corporation shall keep, or cause to be kept, just and true accounts of all the receipts of the said corporation, from whatever source derived, and also of all its expenditures, which said accounts shall be open to the examination of any stockholder of said company, at all times. The said directors shall, at least once in each and every year, declare and pay over to the stockholders, a *pro rata* dividend from the net earnings of the said company, if any such there be. Before making and declaring such dividend, the directors shall deduct from the gross earnings of the company, the amount of all proper and necessary expenses incurred in conducting the business of the company, and keeping the bridges and other property of the company in repair. They shall also deduct from the said gross earnings such sum as shall be necessary to pay any accruing interest or other indebtedness of the company, to become due and payable before the time when the next succeeding dividend is to be made and declared, if such there be, and they may also reserve and set apart from the gross earnings of the company, before such dividend is made and declared, such sum as the directors may think expedient, not exceeding in amount ten per cent. of said gross earnings, for the purpose of keeping the bridges and other property of the company in good condition and repair; *Provided*, that in case such fund, so reserved and set apart as aforesaid, is not actually required to be used for the purpose aforesaid, in whole or in part, then the same, or the remaining unexpended portion thereof, shall be reckoned among the gross earnings of the company, at the time of making and declaring the dividend next thereafter ensuing. The said directors shall not sell or dispose of either of the bridges or franchises of the company, without such sale shall be authorized by a vote of at least three-fourths of the capital stock of said company, and in case of any such sale, the proceeds thereof shall be divided among the stockholders of the company, *pro rata*, unless by a vote of at least three-fourths of the capital stock of said company, the proceeds of said sale shall be otherwise disposed of for the benefit of said company.

Add as section 13, the following:

SEC. 13. The said company shall keep its bridges in safe and good condition and repair, with a good substantial side railing on each and every of their said bridges, and shall be liable for all damages to persons or property resulting from the negligence or carelessness of said

company, and shall afford egress and regress across and over their said bridges to all persons and property, when the rates of toll hereinbefore provided for shall be first paid or tendered.

Strike out section 11 of the substitute, and change the number of section 12 to 14.

All of which is respectfully submitted.

JOHN R. PORTER, *Chairman.*

Mr. Campbell moved that the council adjourn till to-morrow morning, at nine o'clock.

Carried.

COUNCIL CHAMBER,
Saturday, February 6, 1864. }

Council met pursuant to adjournment.

President in the chair.

Roll called.

Absent—Messrs. McCormick and Jackson.

Journal read and approved.

Mr. Marquette from committee on judiciary, submitted the following report:

Mr. President:

The committee on judiciary, to whom was referred house file No. 76, an act to legalize the location of a territorial road from Decatur to Columbus, having had the same under consideration, would report it back to the council without recommendation.

Also,

Council bill No. 42. A bill for an act to authorize H. M. Reynolds, to dispose of certain lots in the town of Beatrice, Nebraska Territory.

Also,

Council bill No. 47. A bill for an act to encourage the introduction and raising of sheep in Nebraska, would report the same back and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Marquette from select committee, to whom was referred council bill No. 49. A bill for an act to authorize John Inhelder to erect a mill-dam across Cedar creek, in Cass county, submitted the following report:

Mr. President:

Your special committee, to whom was referred council bill No. 49, a bill for an act to authorize John Inhelder to erect a mill-dam across

Cedar creek, in Cass county, Nebraska Territory, having had the same under consideration, would report the same back and recommend its passage.

T. M. MARQUETTE.
J. E. DOOM.

Mr. Doom from select committee, submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 81, a bill for an act to authorize James Folden, his successors and assigns, to keep a mill-dam across the main branch of the Weeping Water, in Cass county, have had the same under consideration, and would report it back to the council and recommend its passage.

J. E. DOOM.
T. M. MARQUETTE.

A resolution to amend council rule No. 25, was taken up and read for information.

Mr. Marquette moved the adoption of the resolution.

Mr. Little moved to amend, by striking out the word "majority" in the resolution, and inserting "two thirds" in lieu thereof, upon which motion, the ayes and nays were demanded.

Ayes—Messrs. Butler, Campbell, Fisher, Little, Mason and Porter—6.

Nays—Messrs. Doom, Jackson, Marquette, McCormick and Welch—5.

Carried.

Mr. Marquette moved to adopt the resolution as amended.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—9.

Nays—Messrs. Campbell, Little and Mason—3.

Adopted.

Mr. Porter introduced the following bills, of which previous notice had been given:

Council bill No. 50. A bill for an act to authorize the auditor to pay the balance due on certain salaries.

Council bill No. 51. A bill for an act to provide for the payment for services rendered in opening books of the territorial treasurer's office.

Bills each read first time.

House file No. 94. A bill for an act to amend section 3, of chapter 35, of an act entitled an act, respecting practice and proceedings in courts of justice, and for other purposes, approved February 10th, 1857.

Read first time.

Mr. Marquette moved, that the bill be read a second time by its title, and referred to committee on the judiciary.

Bill so read and referred.

House file No. 99. Substitute for a bill entitled an act, to encourage the cultivation of forest and fruit trees, and grape vines.

Bill read first and second time by its title, and referred to committee on agriculture.

House file No. 37. A bill for an act to create the office of assessor, in the counties of Platte, Lancaster, Dakota, Hall, Buffalo and Kearney.

Read first time.

Mr. Clark moved, the bill be read a second by its title, and referred to committee on the judiciary.

Bill so read and referred.

House file No. 108. A bill for an act to restrain horses and cattle from running at large in Niobrarah precinct, L'eau-qui-court county.

Read first and second time, and referred to committee on agriculture.

House file No. 67. A bill for an act to regulate marriages.

Read first time.

Mr. Marquette moved, the bill be read a second time by its title, and referred to committee on the judiciary.

Bill so read and referred.

House file No. 71. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Fremont, in Dodge county.

Bill read first time.

Mr. Clark moved, the bill be read a second time by its title, and referred to committee on highways, bridges and ferries.

Bill so read and referred.

House file No. 86. A bill for an act to restrain stock from running at large in Hall county, and in Kelly precinct, in Douglas county.

Read first and second time, and referred to committee on agriculture.

House file No. 110. A bill for an act to vacate blocks No. 12 and 16, in the town of Ponca, in Dixon County.

Read first and second time, and referred to a select committee of one, Mr. Jackson.

House file No. 58. A bill for an act to authorize William W. Wood and Charles Libby to keep a mill-dam across the great Nemaha river, in Johnson county.

Read a second time and referred to a select committee, consisting of Messrs. Fisher and Butler.

Mr. Jackson, from committee on incorporations, submitted the following report:

Mr. President:

Your committee on incorporations, to whom was referred house file No. 78, a bill for an act to incorporate the Camp Creek Cemetery Association of Otoe precinct, Otoe county, having had the same under consideration, beg leave to report the same back to the council without recommendation.

A. H. JACKSON.
W. A. LITTLE.
D. BUTLER.

Council bill No. 48. A bill for an act to provide for the safe keeping of the books, papers and documents belonging to the territorial library.

Read a second time, and referred to committee on libraries.

House file No. 97. A bill for an act to incorporate the Evangelical Church of Arago.

Read a second time.

Mr. Little moved, that the bill be indefinitely postponed.
Carried.

House file No. 88. A bill for an act to restrain sheep and swine from running at large in Dixon county.

Bill read a second time, and referred to committee on agriculture.

House file No. 90. A bill for an act to restrain swine from running at large in Dixon county.

Read a second time by its title, and referred to committee on agriculture.

House file No. 87. A bill for an act to divert a portion of the road fund of Dakota county, to school purposes.

Read a second time, and referred to committee on education.

House file No. 79. A bill for an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.

Read a second time, and referred to a select committee, consisting of the members from Cass county, Messrs. Marquette and Doem.

Council bill No. 36. A memorial and joint resolution praying for an appropriation to build a penitentiary.

Mr. Clark moved, that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 23. A bill for an act to amend an act, entitled an act, to restrain cattle, sheep and swine from running at large in Richland and Fontenelle precincts.

Report of committee recommending the passage of the bill, adopted.

Mr. Porter moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 43. A bill for an act to require the city authorities of Nebraska City, to levy a special tax to pay a certain judgment against said city.

Bill read for information.

Call of the house.

All present.

The following message from the house was received:

HOUSE OF REPRESENTATIVES,
February 6, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house has passed house file No. 70, a bill for an act to amend an act, entitled an act, to amend the code of civil procedure, approved January 11th, 1861.

House file No. 95. A bill for an act to authorize Jefferson Wilbur to keep a ferry across the Missouri river at Covington, Dakota county, Nebraska Territory.

House file No. 98. A bill for an act, entitled an act to prohibit gambling.

House file No. 102. A bill for an act to locate a territorial road from the west terminus of the Steam Wagon Road, on the west line of Otoe county, to strike the territorial road from Nebraska City to Fort Kearney.

House file No. 111. A bill for on act to vacate the towns of Cleaveland and Mount Pleasant, in Cass county.

House file No. 119. A bill for an act to provide for elections.

House file No. 126. A bill for an act authorizing the county commissioners of Dakota County, to cancel out standing warrants and re-issue others instead thereof.

House file No. 127. A bill for an act relative to changing the county seat of Cedar county.

House file No. 128. A bill for an act to amend section seventeen of an act to further prescribe the duties of county treasurers, approved January 10th, A. D., 1862.

House file No. 129. A bill for an act to regulate the adoption of children.

House file No. 131. A bill for an act to restrain swine from running at large in the Nebraska City precinct, Otoe county.

And the concurrence of the council is respectfully requested.

I herewith return to you council bill No. 32, a bill for an act to vacate a part of the town site of Greggspport, in Otoe county. The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

On motion, all further proceedings under the call of the house were dispensed with.

Report on said bill was taken up and considered.

Mr. Marquette moved to adopt the report of the committee, upon which the ayes and nays were demanded:

Ayes—Messrs. Butler, Clark, Fisher, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—10.

Nays—Mr. Doom—1.

Mr. Porter moved that the bill be read a third time and put upon its passage.

Ayes and nays demanded:

Ayes—Messrs. Butler, Clark, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—9.

Nays—Mr. Doom—1.

Question on the passage of the bill.

Ayes and nays demanded:

Ayes—Messrs. Butler, Clark, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—9.

Nays—Messrs. Doom and Fisher—2.

Bill passed and title agreed to.

Council bill No. 38. A bill for an act to repeal an act entitled an act to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct, in said county.

Mr. Welch moved that the bill be ordered engrossed and read a third time to-morrow.

Carried.

Mr. Mason moved that the assistant engrossing clerk for the council be elected.

Carried.

Whereupon, Charles M. Aumock was nominated and unanimously elected.

Mr. Mason moved that the door-keeper be instructed to inform Mr. Aumock of his election, and request his attendance at the council.

Carried.

House file No. 33. A bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska.

Bill read for information.

Mr. Marquette moved that the report of the committee on expenditures on said bill, recommending that it do not pass, be adopted.

Mr. Butler moved the following amendments to the report of said committee:

1. Strike out the words "do not pass" and insert the words "do pass."

Amendment adopted.

2. Insert a new section, to be numbered —, to read as follows:

And be it further enacted, That section two of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864; also, section fourteen of an act entitled an act to re-apportion councilman districts, approved January 28, 1864, be and the same are hereby repealed.

Mr. Little having called for a division of the question, upon the question of the adoption of the second division of the amendment, the ayes and nays were demanded:

Ayes—Messrs. Butler, Campbell, Doom, Fisher, Marquette and Mason—6.

Nays—Messrs. Clark, Jackson, Little, McCormick, Porter, Welch and Mr. President—7.

Lost.

Mr. Mason moved that the adoption of the report, as amended, and the bill, section by section, be considered in committee of the whole.

Lost.

On motion, the council proceeded to consider the bill section by section.

Mr. Marquette offered the following amendment:

In section 1st, fifth line, strike out the word "five" and insert the word "six."

Lost.

Mr. Butler, from the committee on engrossed and enrolled bills, made the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 26, a joint resolution.

Also,

Council bill No. 10. A bill for an act to create and regulate railroad companies, and find them correctly enrolled.

After having them signed by the president of the council, speaker of the house, and chief clerk of the council, presented the same to the governor for his signature, at 11½ o'clock, to-day.

Also,

Council bill No. 38. A bill for an act to repeal an act to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct, in said county, approved December 31, 1861, and find the same correctly enrolled.

D. BUTLER,
J. C. CAMPBELL.

Mr. Mason offered the following amendment to the bill under consideration:

Add the following to the first section:

An enumeration of the inhabitants shall be taken, under the provisions of this act, every third year after the taking of the first census herein provided for.

Call of the house demanded.

Absent—Messrs. Campbell and Jackson.

On motion, the sergeant-at-arms was dispatched after absentees.

Mr. Porter moved that all further proceedings under the call be dispensed with.

Carried.

The question being taken upon the amendment, it was lost.

On motion, section one was adopted.

Mr. Porter moved the adoption of the remaining sections of said bill, severally, as they were considered, and they were so adopted.

By unanimous consent, the motion by which section one was adopted, was reconsidered.

Whereupon, Mr. Mason offered the following amendment to said section:

Provided, an enumeration of the inhabitants shall be again taken, under the provisions of this act, in the year A. D. 1868, and in the year A. D. 1874.

Amendment adopted.

On motion, section one, as amended, was adopted.

Mr. Little moved that the council take a recess of twenty minutes.

Carried.

Council took a recess at 2 o'clock and ten minutes, P. M.

COUNCIL CHAMBER,
2½ o'clock P. M. }

Council met pursuant to recess.

President in the chair.

The president announced to the council that he had received the following communication from the secretary of the Territory:

I do hereby certify, that C. M. Aumock has been duly sworn as assistant engrossing clerk.

A. S. PADDOCK, *Secretary*.

Feb. 6, 1864.

Mr. Fisher moved that house file No. 119, a bill for an act to provide for elections, be read first and second times and ordered printed.

Carried.

Mr. Mason moved that Mr. Clark have leave of absence until twelve o'clock M., on Monday next.

Carried.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 6, 1864.

Mr. President:

I am instructed to inform your honorable body that the house has passed

House file No. 21. A bill for an act to legalize the organization of Lancaster county, and for other purposes.

House file No. 61. A bill for an act in relation to sheep running at large.

House file No. 89. A bill for an act to repeal sections one and eleven of an act entitled an act respecting practice and proceedings in courts of justice, and for other purposes, approved February 13, 1867, and for other purposes.

House file No. 93. A bill for an act to locate and establish a territorial road from Fairview, in Sarpy county, to Omaha city, in Douglas county, Nebraska Territory.

House file No. 105. A bill for an act defining the duties of county surveyors.

House file No. 106. A bill for an act to restrain stock from running at large in Otoe and Nemaha counties.

House file No. 107. A bill for an act to restrain stock from running at large, during the night, in the county of Pawnee.

House file No. 109. A bill for an act to empower the board of education of Ponca School District, in Dixon county, to levy a tax for school purposes, for the year 1864.

House file No. 121. A bill for an act to provide for special terms of the supreme court.

And the council are respectfully requested to concur therein.

I herewith return to you,

Council bill No. 33. An act relative to changing the county seat of Burt county.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Mr. Mason made the following motion, which was carried:

That the special committee of two, heretofore appointed to examine into and report upon the condition of the treasurer's books, under the law, be excused from further attendance upon this council until Wednesday morning next, in order to enable them to discharge the duties imposed upon said committee.

Mr. Little offered the following amendment as section nine of the bill under consideration:

SEC. 9. That in taking the census of any county of this Territory, having no county commissioners, said census shall be taken by the sheriff of the first organized county east of such county having no commissioners, and such sheriff shall take said census and return the

same to the county commissioners of his county, in conformity to the provisions of this act, as nearly as may be; and such sheriff shall receive for his services, the sum of three dollars per day for the time actually employed in taking said census, to be paid out of the territorial treasury, on the warrant of the territorial auditor.

Adopted.

Mr. Little moved that section nine of said bill be changed to section ten.

Carried.

Mr. Little moved that the bill be read a third time by its title, and put upon its passage.

Ayes and nays demanded:

Ayes—Messrs. Jackson, Little, McCormick, Porter and Welch—5.

Nays—Messrs. Butler, Campbell, Doom, Fisher and Marquette—5.

The president gave the casting vote in the negative.

Motion lost.

House file No. 47. Mr. Marquette moved that the report of the judiciary committee, recommending substitute for house file No. 47, a bill for an act to attach the north half of Clay county to Lancaster, and the south half of said county to Gage, be adopted.

Several petitions and remonstrances from citizens of Clay and other counties, in favor of and against the division of said county, were read from the clerk's desk.

After full consideration of the papers in the premises, the motion to adopt the substitute prevailed.

Mr. Marquette moved that the bill be read a third time, and put upon its passage.

Ayes and nays demanded:

Ayes—Messrs. Butler, Campbell, Doom, Fisher, Jackson, Marquette, Porter and Welch—8.

Nays—Mr. Little—1.

Carried.

Bill passed and title agreed to.

Joint resolution for the relief of J. H. Hollingshead, was taken up and read for information.

Mr. Little moved that the resolution lay upon the table.

Carried.

House file No. 42. A bill for an act to locate a territorial road through the county of Polk, was taken up.

Mr. McCormick moved that the report of the committee on highways, bridges and ferries, recommending the passage of the bill, be adopted.

Carried.

Mr. Welch moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 11. Memorial and joint resolution relative to a mail route.

Mr. Marquette moved it be read a third time and put upon its passage.

Bill passed and title agreed to.

Council bill No. 25. A bill to incorporate the Walnut Grove Cemetery, Brownville.

Mr. Doom moved that the report of the committee be adopted.

Carried.

On motion of Mr. Little the bill was ordered engrossed for a third reading on Monday.

Council bill No. 29. A bill respecting elections.

Mr. Marquette moved that the bill be laid upon the table.

Carried.

House file No. 78. A bill for an act to incorporate Camp Creek Cemetery Association, Otoe county, N. T.

Mr. Doom moved that the bill be read a third time by its title.

Mr. Mason moved to lay the bill upon the table.

Lost.

Mr. Little moved to postpone the further consideration of the bill until Monday next.

Ayes and nays demanded.

Ayes—Messrs. Little and Mason—2.

Nays—Messrs. Butler, Campbell, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—9.

Motion lost.

Question recurring upon the motion to read a third time, it was carried.

Bill passed and title agreed to.

Council bill No. 24. A bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute.

Mr. Little moved that the further consideration of the bill be postponed until Monday next.

Carried.

House file No. 62. A bill to incorporate the Lancaster Salt Company.

Mr. Little moved that the further consideration of the bill be postponed until Monday next.

Carried.

Council bill No. 35. A bill for an act to authorize the Governor to offer rewards for the arrest of criminals.

Bill read for information.

Mr. Mason offered the following amendment:

Sec. 2. Strike out "and conviction," in the seventh line.

Carried.

Mr. Mason moved the following as a substitute for section three:

Upon the trial of any person for whom such reward has been offered, if the presiding judge shall, under his hand and the seal of the court, certify to the Governor that the person arrested and indicted committed the acts charged in the indictment, the person or persons making the arrest, shall be entitled to the reward.

Amendment adopted.

Mr. Mason offered the following amendment:

Add to section two the following: And the delivery of such person or persons to the sheriff or jailor of the county where such crime was committed.

Carried.

Mr. Mason offered the following further amendment: Section 2, at the end of the sixth line, strike out the word "apprehension" and insert "arrest."

Carried.

On motion of Mr. Butler, the bill was ordered engrossed for a third reading on Monday next.

Council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company.

Mr. Little moved that the substitute reported, take the place of the original bill.

Carried.

Mr. Mason moved to prefix the word "toll" before the word "bridge," in the seventh line of section two.

Ayes and nays demanded.

Ayes—Messrs. Campbell and Mason—2.

Nays—Messrs. Butler, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Lost.

Mr. Mason offered the following amendment: Add to section 2, "Provided further, that nothing herein contained shall be so construed as to prevent any corporation, company or persons from constructing free bridges across any of said streams within the limits covered by this charter.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Marquette and Mason—3.

Nays—Messrs. Butler, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Lost.

Mr. Little moved that the report of the committee of the whole on said bill, be adopted.

Carried.

Mr. Little moved that the bill be ordered engrossed for a third reading on Monday next.

Carried.

House file No. 19. A bill for an act entitled an act to provide for an estray law.

Mr. Doom moved that the report of the committee of the whole on said bill, be adopted.

Carried.

Mr. Mason moved that the bill be read a third time by its title, and with the amendments put upon its passage.

Carried.

Bill passed as amended, and the endorsement amended so as to correspond with the title on the inside.

House file No. 25. A bill for an act to incorporate the City of Brownville.

Mr. Marquette moved to adopt the report of the committee.

Carried.

Mr. Mason called for the reading of the bill for information.

After hearing a portion of the bill, its further reading was dispensed with.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—8.

Nays—Messrs. Campbell, Little and Mason—3.

Carried.

Bill passed and title agreed to.

House file No. 60. A bill for an act to locate a territorial road from Nemaha City to the state line of Kansas.

Laid over by consent.

House file No. 34. A bill to incorporate the Bellevue college.

Passed by consent.

Council bill No. 22. A bill for an act for the relief of Robert Moorland, for a horse pressed and taken from him by Samuel Black, late governor of Nebraska, for government purposes in carrying on the Pawnee expedition.

Report of committee, with accompanying papers, read and considered.

Mr. Porter moved the bill be read a third time and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Little, McCormick, Porter and Welch—5.

Nays—Messrs. Butler, Doom, Fisher, Marquette, Jackson and Mason—6.

Lost.

Mr. Mason moved to reconsider the vote by which the motion to read a third time was lost.

Carried.

On motion, the bill was read a third time by its title.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Campbell, Doom, Jackson, Little, McCormick, Porter and Welch—7.

Nays—Messrs. Butler, Fisher, Marquette and Mason—4.

Carried.

Bill passed and title agreed to.

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses.

Mr. Jackson moved that the council go into committee of the whole for the consideration of the bill.

Mr. Doom moved that the council adjourn till Monday morning at 10 o'clock.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Doom, Little, McCormick and Porter—6.

Nays—Messrs. Fisher, Jackson, Marquette, Mason, Welch and Mr. President—6.

Lost.

Mr. Little moved to adjourn until 9½ o'clock on Monday morning next.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Doom, Little, McCormick and Porter—6.

Nays—Messrs. Fisher, Jackson, Marquette, Mason, Welch and Mr. President—6.

Lost.

No further action taken upon the bill.

Mr. Little, by leave, introduced council bill No. 52. A bill for an act to define the duties of territorial auditor and school commissioner, and territorial treasurer.

Also,

Council bill No. 53. A bill for an act in relation to insurance companies.

Substitute for council bill No. 9. A bill for an act to revise an act entitled an act to provide an estray law, approved January 11, 1861, was taken up.

Mr. Mason moved that the bill be indefinitely postponed.

Carried.

Mr. Fisher, from the committee on agriculture, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 21, a bill for

an act to protect sheep, having had the same under consideration, would respectfully beg leave to report it back without recommendation.

T. R. FISHER.

Mr. Little moved that the council adjourn till Monday morning next at ten o'clock.

Carried.

COUNCIL CHAMBER,
Monday, February 8, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Jackson, McCormick and Porter.

Journal read and approved.

Mr. Butler presented the remonstrance of A. J. Deshazo, and some forty others, against the passage of a law restraining sheep and swine from running at large in Richardson county.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 37, a bill for an act to create the office of assessor in the counties of Platte, Lancaster, Dakota, Hall, Buffalo and Kearney, having had the same under consideration, would report the same back to the council without recommendation.

Also,

Council bill No. 41. A bill for an act to amend an act entitled an act in relation to road tax in certain counties, approved January 9, 1862.

Your committee would also report back house file No. 45. A bill for an act to amend an act entitled an act of the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, approved January 13, 1860, and would recommend its passage. And would also report back house file No. 29. A bill for an act entitled an act to attach certain unorganized portions of Nebraska to the first judicial district, without recommendation.

J. M. MARQUETTE.

Mr. Marquette submitted the following report:

Mr. President:

Your committee of the whole, to whom was referred council bill No. 28, an act to amend section 310 of the code of civil procedure, and in

relation to the competency of witnesses, would report the same back to the council with the following amendments:

In first section, third line, strike out the words, "of the Territory of Nebraska."

In the 19th line, after the word "truly" add the words "and who do not fully understand the nature and obligation of an oath;" and strike out all after the word "confession," and including the word "provided" in the first section of said act, and would recommend the adoption of the amendments.

T. M. MARQUETTE, *Chairman.*

Mr. Butler made the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company, and find it correctly engrossed. All of which is respectfully submitted.

D. BUTLER, *Chairman.*

J. C. CAMPBELL.

Mr. Fisher submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 86, a bill for an act to restrain stock from running at large in Hall county, and in the Kelly precinct, in Douglas county, N. T., have had the same under consideration, and beg leave to report the same back, and recommend the passage of the bill.

J. R. FISHER,

J. R. PORTER,

J. E. DOOM.

Mr. Butler submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 58, entitled an act to authorize William W. Wood and Charles Libby to keep a mill-dam across the Great Nemaha river, in Johnson county, have had the same under consideration, and would beg leave to report the same back, and recommend its passage. All of which is respectfully submitted.

D. BUTLER,

T. R. FISHER.

Mr. Doom submitted the following report:

Mr. President:

The select committee to whom was referred house file No. 79, a bill for an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward, have had the same under consideration, and would report it back and recommend its passage.

J. E. DOOM,

J. M. MARQUETTE.

Mr. Mason, by leave, introduced council bill No. 54. A bill for an act concerning the acknowledgement of deeds in foreign countries, and relating to the acknowledgement of deeds, executed without the Territory of Nebraska.

Also,

Council bill No. 55. A bill to require recorders to keep the records of conveyances of town lots separate from other real estate.

Mr. Doom submitted the following report:

Mr. President:

The committee on finance, ways and means, who were instructed to report a bill making appropriations for the current year, beg leave to report: That finding a large number of outstanding claims against the Territory, and believing that justice and the best interests of the Territory demanded that those claims should be disposed of, your committee have examined the said claims, and believing that many of them were just, we have reported appropriations for the same. Other claims, of the justice of which we had doubts, but not wishing to do injustice to any person, we have made appropriations for some claims of this class, trusting the wisdom of the legislature will be able to discriminate between the just and the unjust. Your committee would also call your attention to the fact, that in their opinion, many of the claims are for larger amounts than justice demands. Your committee have felt it their duty to reject many claims, some on the grounds that there was no necessity for the expenditure, others were rejected for the reason that the claims were unjust. In conclusion, your committee would report to the council, an act making appropriations for the expenses of the territorial government, for the year 1864, and for the payment of certain claims against the Territory.

J. E. DOOM,
J. R. PORTER,
JOHN McCORMICK.

Mr. Mason moved to print council bill No. 56: A bill for an act making appropriations for the expenses of the territorial government, for the year 1864, and for the payment of certain claims against the Territory.

Council bill No. 55. Read first time.

Mr. Marquette moved the bill be read a second time by its title, and referred to committee on the judiciary.

Carried.

Council bill No. 54. Read first time.

On motion, bill read second and third times by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 56.

On motion, bill read a second time by its title.

Mr. Fisher submitted the following report:

Mr. President:

Your committee on agriculture, to whom was referred house file No. 88, a bill for an act to restrain sheep and swine from running at large in Dixon county, having had the same under consideration, would recommend that section three of the bill be stricken out, and that the bill, as amended, be passed.

T. R. FISHER,
J. R. PORTER,
J. E. DOOM.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 32, a bill for an act to vacate a portion of the town site of Greggsport, in Otoe county.

Also,

Council bill No. 33. An act relative to changing the county seat of Burt county; and find them correctly enrolled.

After procuring the signature of the president of the council, speaker of the house, and chief clerk of the council, presented the same to the governor for his signature, February 6, 1864, at 5 o'clock P. M.

D. BUTLER, *Chairman.*
J. C. CAMPBELL.

Council bill No. 52. A bill for an act to define the duties of territorial auditor and school commissioner, and territorial treasurer.

Mr. Little moved the bill be read first and second times by its title, and referred to committee on education.

Bill so read and referred.

Council bill No. 53. A bill for an act relative to insurance companies.

Bill read first and second times by its title, and ordered printed.

House file No. 61. A bill for an act in relation to sheep running at large.

Read first time.

Mr. Mason moved that the bill be read second and third times, and put upon its passage.

Carried.

Bill passed and title amended to read as follows:

A bill for an act to restrain buck sheep from running at large between the 15th day of July and the 15th day of November, in each year.

House file No. 87. A bill for an act to repeal sections one and eleven of an act entitled an act respecting practice and proceedings in courts of justice, and for other purposes.

Bill read first and second times, and referred to committee on the judiciary.

House file No. 120. A bill for an act to provide for special terms of supreme court.

Read first time.

House file No. 109. A bill for an act to empower the board of education of Ponca School District, in Dixon county, to levy a tax for school purposes, for the year 1864.

Read first time.

Mr. Doom moved the bill be referred to a special committee of three. Carried.

The chair appointed Messrs. Jackson, Doom and Campbell said committee.

Mr. Campbell presented a petition from the citizens of Dixon county in relation to the subject of the bill.

House file No. 21. A bill for an act to legalize the organization of Lancaster county, and for other purposes.

Read first and second times by its title, and referred to committee on the judiciary.

House file No. 93. A bill for an act to locate and establish a territorial road from the town of Fairview, in Sarpy county, to Omaha City, in Douglas county.

Read first and second times, and referred to committee on highways, bridges and ferries.

House file No. 105. A bill for an act defining the duties of county surveyor.

Bill read first time.

On motion, read a second time by its title, and referred to committee on the judiciary.

House file No. 106. A bill for an act to restrain stock from running at large in Otoe and Nemaha counties.

Bill read first time.

Mr. Doom moved the bill be read a second time by its title.

It was so read, and

On motion, was referred to a select committee, consisting of Messrs. Campbell, Mason and Fisher.

House file No. 107. A bill for an act to restrain stock from running at large, during the night, in Pawnee county.

Mr. Butler moved that the bill be read a second time, and referred to a select committee of two.

Carried.

The chair appointed Messrs. Butler and Fisher said committee.

House file No. 120. A bill for an act authorizing the county commissioners of Dakota county to cancel outstanding warrants and issue others instead thereof.

Bill read first time.

Mr. Marquette moved that the bill be read a second time by its title, and referred to a select committee of two.

Carried.

Messrs. Jackson and Marquette were appointed said committee.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 35, a bill for an act entitled an act to authorize the governor of this Territory to offer rewards for the apprehension of criminals, and find the same correctly engrossed.

D. BUTLER,

J. C. CAMPBELL.

House file No. 131. A bill for an act to restrain swine from running at large in Nebraska City precinct, Otoe county.

Mr. Little moved that the bill be read first and second times, and referred to the delegation from said county.

Bill so read and referred.

House file No. 129. A bill for an act to regulate the adoption of children.

Read first time.

Mr. Campbell moved the bill be read a second time by its title, and referred to a select committee of three, of which Mr. Little should be chairman.

Carried.

Messrs. Little, Mason and Campbell were constituted said committee.

House file No. 128. A bill for an act to amend section seventeen of an act to further prescribe the duties of county treasurers, approved January 10, 1862.

Bill read first time.

On motion, it was read a second time by its title, and referred to committee on the judiciary.

House file No. 127. A bill for an act relative to changing the county seat of Cedar county.

Read first time.

Mr. Little moved it be read a second time by its title, and referred to a select committee of three.

Carried.

Messrs. Jackson, Little and Welch were appointed said committee.

House file No. 111. A bill for an act to vacate the towns of Cleveland, Liberty and Mount Pleasant, in Cass county.

Read first time.

Mr. Marquette moved the bill be read second and third times by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 8, 1864. }

Mr. President:

I am instructed to inform your honorable body that the house have passed

House file No. 55. A bill for an act for the relief of certain counties.

House file No. 137. A bill for an act to restrain stock from running at large in the county of Cass.

House file No. 138. A bill for an act to incorporate the Woodland Cemetery Company of Fontenelle.

And the concurrence of the council is respectfully requested.

I herewith return to you,

Council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage.

The same having passed the house with certain amendments attached thereto.

RIENZI STREETER, *Chief Clerk.*

House file No. 98. A bill for an act entitled an act to prohibit gambling.

Read first time.

House file No. 70. A bill for an act to amend an act entitled an act to amend the code of civil procedure, approved January 11, 1861.

Read first time.

Mr. Mason moved to lay the bill upon the table.

Carried.

House file No. 138. A bill for an act to incorporate the Woodland Cemetery Company, of Fontenelle.

Read first and second times by its title, and referred to committee on incorporations.

Council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage.

Mr. Marquette moved that the council concur in the first amendment proposed by the house.

Ayes and nays demanded:

Ayes—Messrs. Butler, Doom, Fisher, Marquette, McCormick and Welch—6.

Nays—Messrs. Campbell, Jackson, Little, Mason, Porter and Mr. President—6.

Lost.

Mr. Little moved that the council do not concur in the second amendment.

Call of the house demanded.

Absent—Mr. Doom.

Sergeant-at-arms was dispatched after the absentee.

Mr. Doom appearing within the bar, all further proceedings under the call were dispensed with.

Ayes and nays demanded on the question pending:

Ayes—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Nays—Messrs. Butler, Clark, Doom, Fisher, Marquett, McCormick and Welch—7.

Motion lost.

Mr. Marquette moved that the council concur in said amendment.

Ayes and nays demanded:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried.

Amendment concurred in.

Mr. Marquette moved that the council concur in the third amendment proposed to said bill.

Mr. Mason moved to lay that motion upon the table.

Ayes and nays demanded:

Ayes—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Nays—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Motion lost.

The question recurring upon the motion to adopt, the ayes and nays were demanded:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried, and amendment concurred in.

Mr. Mason moved that the council concur in the fourth amendment to said bill, (in section 9.)

Carried.

Mr. Marquette moved that the council concur in the fifth amendment of the house.

Carried.

Mr. Marquette moved to concur in the sixth amendment.

Call of the house moved.

Absent—Mr. Doom.

Mr. Little moved that all further proceedings under the call be dispensed with.

Lost.

Mr. Clark moved that the sergeant-at-arms be dispatched after the absentee.

Carried.

Mr. Marquette moved that all further proceedings under the call be dispensed with.

Carried.

The question being taken, the ayes and nays were demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried.

Mr. Marquette moved to concur in the seventh amendment.

Mr. Welch moved that Mr. Doom be excused from further attendance on the council for the day.

Carried.

The question on the motion to concur being put, the ayes and nays were demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick and Welch—8.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

Mr. Marquette moved that the council concur in the eighth house amendment.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick and Welch—8.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

On motion, the ninth amendment was also concurred in.

Mr. Marquette moved to concur in the tenth amendment.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Fisher, Jackson, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

Mr. Marquette moved to concur in the eleventh amendment.

Lost.

Mr. Marquette moved to concur in the twelfth amendment—to strike out "thirty," and insert "sixty days."

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick and Welch—8.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

House file No. 102. A bill for an act to locate a territorial road from the west terminus of the Steam Wagon Road, on the west line of Otoe county, to strike the territorial road from Nemaha City to Fort Kearney.

Read first and second times by its title, and referred to committee on highways, bridges and ferries.

House file No. 137. A bill for an act to restrain stock from running at large in the county of Cass.

Mr. Mason moved that the bill be read a first and second time, and referred to the members from Cass county—Messrs. Marquette and Doom.

Bill so read and referred.

House file No. 95. A bill for an act to authorize Jefferson Wilbur to keep a ferry across the Missouri river at Covington, Dakota county, Nebraska.

Mr. Little moved that the bill be indefinitely postponed.

Lost.

Mr. Butler moved that the bill be read a first and second time by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

House file No. 55. A bill for the relief of certain counties.

Read first and second time, and referred to committee on the judiciary.

Mr. Butler moved that the council take a recess for fifteen minutes.

Carried, and

The council took a recess at 3 o'clock P. M.

COUNCIL CHAMBER,

3 o'clock—15 minutes P. M. }

Council met pursuant to recess.

President in the chair.

Council bill No. 51. A bill for an act to provide for the payment of services rendered in opening books of the territorial treasurer.

Read first and second times, and referred to committee on expenditures.

Council bill No. 50. A bill for an act to authorize the auditor to pay balances due on certain salaries.

Read a second time, and referred to committee on expenditures.

Council bill No. 38. A bill for an act, entitled an act, to repeal an act, to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct of said county.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 76. An act to legalize the location of a territorial road from Decatur to Columbus.

Mr. Marquette moved that the report of the committee be adopted.

Carried.

Mr. Porter moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Butler moved that Mr. Doom be added to the committee on engrossed and enrolled bills.

Carried.

Council bill No. 47. A bill for an act to encourage the introduction and raising of sheep in Nebraska.

Mr. Marquette moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays were demanded.

Ayes—Messrs. Butler, Campbell, Clark, Fisher, Jackson, Marquette, Mason and Porter—8.

Nays—Messrs. Little, McCormick and Welch—3.

Carried.

Bill passed and title agreed to.

Council bill No. 21. A bill for an act to protect sheep.

Read for information.

Mr. Campbell moved that the bill be re-committed to a select committee of three.

Carried.

Messrs. Campbell, Little and Marquette were appointed said committee.

Mr. Jackson, on leave, submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 110, a bill for an act to vacate blocks No. 12 and 16, in the town of Ponca, Dixon county, having had the same under consideration, beg leave to report it back and recommend its passage.

A. H. JACKSON.

Council bill No. 49. A bill for an act to authorize John Inhelder to erect a mill-dam across Cedar creek, Cass county, Nebraska Territory.

Mr. Marquette moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 62. A bill for an act to incorporate the Lancaster Salt Company.

Mr. Porter moved that the bill be laid upon the table.

Lost.

Mr. Butler moved that the bill be read a third time and put upon its passage.

Mr. Little moved that it be re-committed to the committee on incorporations.

Carried.

House file No. 8. A bill for an act to amend section 2 of an act, entitled an act supplemental to an act, entitled an act to establish a code of civil procedure, approved November 4th, 1858, was taken up.

The council went into a committee of the whole on said bill, Mr. Marquette in the chair.

The committee having been in session some time, rose, and reported the bill back to the council, and recommended that it be made the special order for Thursday next.

Report adopted.

House file No. 16. A bill for an act to regulate the practice and proceedings in chancery.

The council went into a committee of the whole for the consideration of said bill.

Mr. Mason in the chair.

The committee having been in session some time, rose, and reported the bill back to the council, and recommended that it be re-committed to committee on the judiciary.

Report adopted.

House file No. 86. A bill to restrain stock from running at large in Hall county, and in the Kelly precinct, Douglas county.

Mr. Little moved that the bill be laid upon the table.

Carried.

House file No. 60. A bill for an act to locate a territorial road from Nemaha City, Nebraska Territory, to the Kansas State line.

Mr. Butler moved that the bill be indefinitely postponed.

Carried.

House file No. 73. A bill for an act to amend an act, entitled an act to protect game in the Territory of Nebraska.

Mr. Porter moved that the bill be read a third time and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Jackson, Little, Marquette, Mason, McCormick and Porter—6.

Nays—Messrs. Butler, Campbell, Clark and Welch—4.

Carried.

Bill passed and title agreed to.

Council bill No. 39. A bill to incorporate the Platte Valley Bridge Company.

Read a third time by its title.

Bill passed and title agreed to.

Council bill No. 35. A bill for an act to authorize the governor of this Territory to offer rewards for the apprehension of criminals.

Bill read a third time by its title.

Passed and title agreed to.

House file No. 33. A bill for an act to provide for the enumeration of the residents within the Territory of Nebraska.

Mr. Little moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Clark, Jackson, Little, McCormick, Porter and Welch—6.

Nays—Messrs. Butler, Campbell, Marquette and Mason—4.

Bill passed and title agreed to.

Mr. Campbell moved that the rules be suspended to allow Mr. Butler to give notice of a bill.

Lost.

Mr. Marquette moved that the council adjourn till to-morrow morning at 10 o'clock.

Carried.

COUNCIL CHAMBER,

Tuesday, February 9, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Clark, Doom and Jackson.

Journal read, corrected and approved.

Mr. Marquette presented petitions signed by Richard Wallingford and five others; and James Cheston and forty others.

Petitions referred to committee on the judiciary.

Mr. Butler presented petition of D. W. Allison and sixty-two others, praying for a law to restrain swine from running at large in Richardson county.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 92, a bill for an act entitled an act to regulate actions relative to real estate, in certain cases, having had the same under consideration, would report the same back to the council, and recommend its passage.

Also,

House file No. 55. A bill for an act for the relief of certain counties, and would recommend its passage.

Also,

House file No. 128. An act to amend section seventeen of an act to further prescribe the duties of county treasurer, approved January 10, 1862, and would recommend its passage.

Also,

House file No. 105. Substitute for house file No. 31. A bill for an act defining the duties of county surveyors. All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

Mr. Campbell submitted the following reports:

Mr. President:

Your committee on education, to whom was referred house file No. 87, an act to divert a portion of the road fund of Dakota county to school purposes, having had the same under consideration, beg leave to report the bill back and recommend its passage.

J. C. CAMPBELL.

Your committee on education, to whom was referred council file No. 52, a bill to define the duties of territorial auditor and school commissioner, and territorial treasurer, having had the same under consideration, beg leave to report the bill to the council without recommendation.

J. C. CAMPBELL.

Mr. Marquette submitted the following report:

Mr. President:

The committee on the judiciary, to whom was referred council bill No. 55, a bill for an act to require recorders to keep records of conveyances of town lots separate from those of other real estate, having had the same under consideration, would recommend the following amendment: Strike out in section 4, the words "its passage," and insert the words "first day of August, A. D. 1864," and with said amendment, would recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Fisher submitted the following report:

Mr. President:

Your committee on agriculture, to whom was referred council bill No. 37, an act for the protection of sheep, and for other purposes, have had the same under consideration, and would report back the accompanying substitute without recommendation.

T. R. FISHER,
JOHN R. PORTER.

Mr. Porter submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 51, a bill to provide for the payment of services rendered in opening books of territorial treasurer's office, have had the same under consideration, and beg leave to report the bill back to the council for their consideration, without any recommendation of your committee.

JOHN R. PORTER,
J. E. DOOM.

Also, the following:

Mr. President:

Your committee on expenditures, to whom was referred council bill No. 50, a bill to authorize the auditor to pay the balances due on certain salaries, have had the same under consideration, and beg leave to report the bill back without recommendation.

JOHN R. PORTER,
J. E. DOOM.

Mr. Jackson submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 127, a bill for an act relative to changing the county seat of Cedar county, having had said bill under consideration, beg leave to report the same back to the council, and recommend its passage.

A. H. JACKSON.

Mr. McCormick submitted the following report:

Mr. President:

Your committee on highways, bridges and ferries, to whom was referred house file No. 56, a bill for an act to locate a territorial road from Fort Calhoun to Florence, beg leave to report the same back, and recommend its indefinite postponement.

Your committee give, as their reason for this report, that a general law now exists sufficient for locating all the necessary roads passing through organized counties.

JOHN MCCORMICK,
J. R. FISHER.

Mr. Campbell submitted the following reports:

Mr. President:

Your special committee, to whom was referred council bill No. 21, a bill for an act to protect sheep, having had the same under consideration, beg leave to report the accompanying bill: a bill for an act to tax dogs, better adapted to attain the end desired than the bill under consideration. We, therefore, report back council bill No. 21, and recommend its indefinite postponement, and the passage of the bill entitled "an act to tax dogs."

JOHN C. CAMPBELL,

W. A. LITTLE,

T. M. MARQUETTE.

Your special committee, to whom was referred house file No. 131, a bill to restrain swine from running at large in the Nebraska City precinct, Otoe county, having had the same under consideration, beg leave to report the bill back to the council, and recommend its passage.

J. C. CAMPBELL, *Chairman.*

Mr. Butler submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 107, a bill for an act to restrain stock from running at large in Pawnee county, have had the same under consideration, and would beg leave to report the same back, and recommend its passage.

D. BUTLER,

J. R. FISHER.

Mr. Mason submitted the following report:

Mr. President:

Your special committee, to whom was referred house file No. 106, a bill for an act to restrain stock from running at large in Otoe and Nemaha counties, having had the same under consideration, beg leave to report the same back and recommend that Otoe county be stricken out of said bill, and that Otoe county be inserted in the bill to restrain stock from running at large in the counties of Clay, Gage and Lancaster; as your committee deem that bill much better adapted to the wants of the county of Otoe, than the provisions of the one under consideration. And your committee believe the real and true interest of the people of Otoe county, would be fostered by a general restraining law. Your committee would further report that they find the bill under consideration to be of that character which ought not to pass without radical and material amendments, as the same is defective in its remedial provisions, and its grammar and phraseology, to an extent which defies the ingenuity of your committee to correct, without reporting a substitute for the bill under consideration. We therefore recommend that the bill be laid upon the table.

O. P. MASON, *Chairman.*

JOHN C. CAMPBELL.

Mr. Fisher submitted the following report:

Mr. President:

Your committee on territorial library, to whom was referred council bill No. 48, a bill for an act to provide for the safe-keeping of the books, papers and documents belonging to the territorial library, having had the same under consideration, would report the bill back and recommend its passage.

T. R. FISHER,
J. R. PORTER.

Mr. Butler gave notice of a bill to amend section 2, of an act entitled an act to apportion members of the house of representatives, approved February 1st, 1864, and section 14 of an act entitled an act to re-apportion and define councilman districts, approved January 28, 1864.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 5, a bill for an act to incorporate the Walnut Grove Cemetery, and find the same correctly engrossed.

D. BUTLER, *Chairman*.
J. C. CAMPBELL.

Mr. Butler moved that house file No. 86, a bill for an act to restrain stock from running at large in Hall county, and in Kelly precinct, Douglas county, be taken from the table.

Carried.

Mr. Little moved to amend section one of said bill, by striking out all after the words "Hall county."

Call of the house demanded.

Absent—Messrs. Campbell, Fisher and McCormick.

Mr. Little moved that the sergeant-at-arms be dispatched after absentees.

Carried.

Absentees appearing within the bar, all further proceedings under the call were dispensed with.

Question recurring upon the motion to amend, the ayes and nays were demanded.

Ayes—Messrs. Doom, Fisher, Little, Mason, McCormick, Porter and Welch—7.

Nays—Messrs. Butler, Campbell, Clark, Jackson and Marquette—5.

Amendment adopted.

Mr. Butler moved that the bill, as amended, be read a third time and put upon its passage.

Carried.

Bill passed and title amended to correspond.

House file No. 121. A bill for an act to provide for special terms of the supreme court.

Read a second time.

Mr. Mason offered the following amendment:

Strike out in the 12th and 13th lines in section 2, the words "and one newspaper at Nebraska City."

Amendment adopted.

Mr. Mason moved that the bill, as amended, be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 98. A bill for an act entitled an act to prohibit gambling, was taken up.

Mr. Mason moved that the bill be laid upon the table.

Carried.

House file No. 79. A bill for an act to restrain stock from running at large in the counties of Lancaster, Clay and Seward.

Mr. Mason offered the following amendment to said bill: Add, at the close of the first section, "and the county of Otoe, in the Territory aforesaid."

Ayes and nays demanded upon amendment.

Ayes—Messrs. Butler, Campbell, Clark, Jackson, Little, Mason, McCormick, Porter and Welch—9.

Nays—Messrs. Doom and Marquette—2.

Report adopted.

Mr. Mason moved that the bill, as amended, be read a third time and put upon its passage.

Carried.

Bill passed, and title amended so as to include Otoe county.

House file No. 110. A bill for an act to vacate blocks 12 and 16, in the town of Ponca, in Dixon county.

Mr. Butler moved that the report of the committee on said bill, be adopted.

Carried.

Mr. Butler moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 81. A bill for an act to authorize James Folden, his successors and assigns to keep a mill-dam across the main branch of the Weeping Water, Cass county, N. T.

Mr. Doom moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 58. A bill for an act to authorize William W. Woods

and Charles Libby to erect and keep a mill-dam across the Great Nemaha river, Johnson county.

Mr. Mason moved to lay the bill upon the table.

Lost.

Mr. Doom moved that the bill be read a third time and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Porter and Welch—7.

Nays—Messrs. Campbell, Jackson, Little and McCormick—3.

Question being taken upon the passage of the bill, the ayes and nays were demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried.

Bill passed and title agreed to.

Mr. Jackson submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 126, a bill for an act to authorize the county commissioners of Dakota county to cancel outstanding warrants, and re-issue others instead thereof, beg leave, after due consideration, to report the accompanying substitute instead thereof.

A. H. JACKSON.

T. M. MARQUETTE.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 89, a bill for an act to repeal sections one and eleven of an act entitled an act respecting practice and proceedings in courts of justice, and for other purposes, approved February 13, 1857, and for other purposes, having had the same under consideration, would report the same back to the council, and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Porter submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 108, a bill for an act to restrain horses and cattle from running at large in Niobrara precinct, L'eau-qui-Court county, have had the same under consideration, and beg leave to report the same back, and recommend its passage.

T. R. FISHER,

J. R. PORTER.

Mr. Little submitted the following report :

Mr. President:

Your committee on printing, to whom was referred house file No. 18, a bill for an act relative to the printing of the laws of Nebraska, having had the same under consideration, beg leave to report the bill back, and recommend that the same do not pass.

W. A. LITTLE, *Chairman.*

House file No. 88. A bill for an act to restrain sheep and swine from running at large in Dixon county.

Mr. Doom moved that the report of the committee on said bill be adopted.

Carried.

Mr. Doom moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 37. A bill for an act to create the office of assessor, in the counties of Platte, Lancaster, Dakota, Hall, Buffalo and Kearney.

Mr. Mason moved that said bill be read a third time and put upon its passage.

Mr. Butler moved that the bill be laid upon the table.

Carried.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 11, a bill for an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11, 1861, and find the same correctly engrossed.

D. BUTLER, *Chairman.*

J. C. CAMPBELL.

House file No. 45. A bill for an act to amend an act entitled an act for the jurisdiction and procedure before justices of the peace, and of the duties of constables in civil courts, approved January 13, 1860.

Mr. Mason moved that the bill be indefinitely postponed.

Call of the house demanded.

Absent—Messrs. Campbell, Doom, Fisher and Marquette.

Mr. Mason, moved that the sergeant-at-arms be dispatched after absentees.

Mr. Clark moved that all further proceedings under the call be dispensed with.

Carried.

Question recurring upon the motion to indefinitely postpone, it was carried.

Bill indefinitely postponed.

Council bill No. 41. A bill for an act to amend an act entitled an act in relation to road tax in certain counties.

Mr. Butler moved that the bill be laid on the table.

Carried.

House file No. 29. A bill for an act to amend an act entitled an act to attach certain unorganized portions of Nebraska to the first judicial district.

Mr. Clark moved to lay said bill upon the table.

Carried.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 9, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house has passed joint resolution, and the concurrence of the council is respectfully requested.

I am further instructed to inform your honorable body, that the house have concurred in the amendments proposed by the council to house file No. 19, a bill for an act to amend an act entitled an act to provide for an estray law, approved January 11, 1861.

Also,

House file No. 25. A bill for an act to incorporate the city of Brownville.

Also, that the house have concurred in the second and third amendments proposed by the council to house file No. 33. A bill for an act to provide for the enumeration of the residents within the Territory of Nebraska, and have refused to concur in the first amendment proposed by the council to the bill.

I herewith return to you council bill No. 35, an act to authorize the governor of this Territory, to offer rewards for the apprehension of criminals.

Council bill No. 36. A memorial and joint resolution praying for an appropriation to build a penitentiary; the same having passed the house without amendment.

The house have also concurred in the amendments proposed by the council to house file No. 61. A bill for an act relative to sheep running at large.

RIENZI STREETER, *Chief Clerk.*

Council bill No. 11. A bill for an act to revise an act, to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

Mr. Mason moved that said bill be read a third time by its title and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Jackson, Marquette, Mason, McCormick and Welch—10.

Nays—Mr. Little—1.

Bill passed and title agreed to.

Council bill No. 44. A bill for an act to incorporate the Pawnee City Cemetery, and

Also,

Council bill No. 24. A bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute, being taken up, were laid over by consent.

Mr. Butler moved that Mr. Welch be excused from attendance at the council for two hours.

Carried.

Mr. Jackson submitted the following report:

Mr. President:

Your special committee, to whom was referred house file No. 109, a bill for an act to empower the board of education of Ponca School District, in Dixon county, to levy a tax for school purposes, for the year 1864, after due consideration, beg leave to report back the bill to the council and recommend its passage.

A. H. JACKSON.

A joint resolution, nominating Abraham Lincoln for the next presidency, &c., was taken up and read first time.

Mr. Butler moved that the resolution be read a second time.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Mason, McCormick and Mr. President—8.

Nays—Messrs. Campbell, Jackson, Little and Porter—4.

Carried.

Resolution read a second time.

Mr. Mason moved that it be referred to committee on agriculture.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Jackson, Little and Mason—4.

Nays—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Porter—7.

Lost.

Mr. Little moved to strike out at the close of the resolution, "Abraham Lincoln," and insert "Ulysses S. Grant."

Ayes and nays demanded.

Ayes—Messrs. Campbell, Little and Porter—3.

Nays—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, Mason and McCormick—8.

Lost.

Mr. Jackson offered the following amendment to said resolution:

That we also suggest Andrew Johnson, of Tennessee, as a suitable person to be placed on the ticket for vice president of the United States.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Doom, Jackson, Little, Marquette, Mason, McCormick and Porter—8.

Nays—Messrs. Butler, Clark and Fisher—3.

Amendment adopted.

Mr. Little offered the following substitute for the resolution under consideration:

JOINT RESOLUTION.

Be it resolved by the Council and House of Representatives of the Territory of Nebraska, That it is inexpedient at this time to express any opinion as to who ought to be the next president or vice president of these United States.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Little, Mason and Porter—4.

Nays—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette and McCormick—7.

Lost.

Mr. Marquette moved that the resolution, as amended, be read a third time.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette and McCormick—7.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

Resolution read a third time.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Mason and McCormick—7.

Nays—Messrs. Campbell, Jackson, Little and Porter—4.

Resolution passed.

House file No. 33. A bill for an act to provide for the enumeration of the residents within the Territory of Nebraska.

Mr. Marquette moved that the council adhere to their amendment to said bill.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Doom, Jackson, Marquette, Mason, McCormick and Porter—8.

Nays—Mr. Little—1.

Carried.

Mr. Little moved that the council adjourn till to-morrow morning at 10 o'clock.

Lost.

Substitute for council bill No. 37. A bill for an act to protect sheep, and for other purposes.

Mr. Little moved that the report of the committee on said bill be adopted.

Carried.

Mr. Mason moved that the bill be read a third time, and put upon its passage.

Ayes and nays demanded.

Ayes—Mr. Jackson—1.

Nays—Messrs. Butler, Campbell, Fisher, Little, Marquette, Mason, Porter and Welch—8.

Bill lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 9, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house have passed house file No. 138, a bill for an act to repeal an act, entitled an act, to appropriate five hundred dollars to re-survey certain lands known to be saline, in Lancaster county, and for other purposes, approved January 10th, 1862, and for other purposes.

And the concurrence of the council is respectfully requested.

I herewith return to you council bill No. 38. A bill for an act, entitled an act to repeal an act, to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct of said county, the same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

House file No. 126. A bill to empower the commissioners of Dakota county to call in outstanding warrants of said county.

Bill read for information.

Mr. Marquette moved that the report of the committee recommending a substitute for said bill, be adopted.

Carried.

Mr. Jackson moved to re-commit the bill to a select committee of three.

Carried.

Messrs. Jackson, Mason and Campbell were appointed such committee.

Council bill No. 59. A bill for an act to tax dogs, substitute for council bill No. 21.

Mr. Marquette moved that the report of the committee be adopted.

Carried.

Mr. Porter moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill read a third time.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Campbell, Clark, Jackson, Marquette, Mason, Porter and Welch—7.

Nays—Messrs. Fisher and Little—2.

Bill passed and title agreed to.

House file No. 55. A bill for an act for the relief of certain counties.

Mr. Clark moved to read the bill a third time, and put it upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Clark, Fisher, Jackson, Little, Marquette, Mason, McCormick and Porter—7.

Nays—Messrs. Welch and Campbell—2.

Bill passed and title agreed to.

House file No. 109. A bill for an act to empower the board of education of Ponca school district, in Dixon county, to levy a tax for school purposes for the year 1864.

Mr. Mason moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 48. A bill for an act to provide for the safe keeping of the books, papers and documents belonging to the territorial library.

Mr. Porter moved that the bill be read a third time by its title.

Mr. Mason moved to lay that motion upon the table.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Little, Marquette, Mason and Welch—6.

Nays—Messrs. Clark, Fisher, Jackson and Porter—4.

Carried.

House file No. 128. A bill for an act to amend section seventeen of an act to further prescribe the duties of county treasurer, approved January 10th, 1862.

Mr. Clark moved that the bill be read a third time, and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Campbell, Clark, Jackson, Marquette, Mason, Porter and Welch—8.

Nays—Messrs. Fisher and Little—2.

Carried.

The question being taken upon the passage of the bill, it was carried.

Bill passed and title agreed to.

Council bill No. 55. A bill for an act to require recorders to keep the records of conveyances of town lots, separate from those of other real estate.

Mr. Marquette moved that the report of the committee on said bill be adopted.

Carried.

Mr. Mason moved that the bill be ordered engrossed for a third reading on to-morrow.

Carried.

House file No. 105. A bill for an act defining the duties of county surveyors.

Read for information.

Mr. Little moved to strike out the seventh section of said bill.

Carried.

Mr. Mason moved that section nine of said bill be stricken out.

Carried.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 89. Substitute for house files Nos. 64 and 74. A bill for an act to repeal sections one and eleven of an act, entitled an act, respecting the practice and proceedings in courts of justice, and for other purposes, approved February 15th, 1857, and for other purposes, was taken up.

Mr. Mason offered the following amendment:

And provided further, That every person heretofore admitted to practice law, upon the ground of good moral character, shall be required to pass an examination under the provisions of this act, if required so to do by any court of record in this Territory.

The question being taken, upon motion to adopt the amendment, the ayes and nays were demanded.

Ayes—Messrs. Campbell, Little, Mason, Porter and Welch—5.

Nays—Messrs. Butler, Fisher and Marquette—3.

Carried.

Amendment adopted.

Mr. Mason moved that the bill, as amended, be read a third time and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Campbell, Little, Marquette, Mason and Welch—5.

Nays—Messrs. Butler, Fisher and Porter—3.

Bill passed and title agreed to.

House file No. 92. A bill for an act to regulate actions, relative to real estate in certain cases.

M. Marquette moved that the report of the committee on this bill, be adopted.

Carried.

Mr. Mason moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 107. A bill for an act to restrain stock from running at large in Pawnee county, during the night.

Mr. Mason moved that the report of the committee be adopted.

Carried.

Bill read for information.

Call of the house demanded.

Mr. Porter moved that all further proceedings under the call be dispensed with.

Carried.

Mr. Mason moved that the bill be read a third time by its title, and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Doom, Fisher, Marquette, Mason, Porter and Welch—7.

Nays—Messrs. Campbell, Little and McCormick—3.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom and Fisher—4.

Nays—Messrs. Campbell, Little, Marquette, Mason, McCormick, Porter and Welch—7.

Lost.

House file No. 127. A bill for an act relative to changing the county seat of Cedar county.

Mr. Jackson moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Clark, Doom, Jackson, Marquette, McCormick, Porter and Welch—7.

Nays—Messrs. Campbell, Fisher, Little and Mason—4.

Carried.

Bill passed and title agreed to.

House file No. 106.

Mr. Mason moved that the bill be laid upon the table.

Lost.

Mr. Mason moved to re-commit the bill to a committee of one—Mr. Fisher, chairman of committee on agriculture.

Carried.

Bill so referred.

House file No. 131. A bill for an act to restrain stock from running at large in Nebraska City precinct, Otoe county.

Mr. Mason moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Campbell, Doom, Little, Marquette, Mason, McCormick, Porter and Welch—8.

Nays—Messrs. Clark, Fisher and Jackson—3.

Carried.

Bill passed and title agreed to.

House file No. 87. An act to divert a portion of the road fund in Dakota county, to school purposes.

Mr. Marquette moved that the bill be read a third time.

Carried.

Ayes and nays were demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Doom, Fisher, Jackson, Little, Marquette, Mason and McCormick—9.

Nays—Mr. Clark—1.

Carried.

Bill passed and title agreed to.

House file No. 108. A bill for an act to restrain horses and cattle from running at large in Niobrarah precinct, L'eau-qui-court county.

Mr. Jackson moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Campbell, Clark, Doom, Fisher, Jackson, Little, Marquette, Mason, McCormick, Porter and Welch—11.

Nays—None.

Bill passed and title agreed to.

House file No. 56. A bill for an act to locate a territorial road from Fort Calhoun to Florence.

Mr. Mason moved to lay the report of the committee on the table.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, Mason, McCormick, Porter and Welch—10.

Nays—Messrs. Campbell and Little—2.

Carried.

Mr. Mason moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 66. A bill for an act to locate a territorial road from Brownville to the Salt Basin.

Mr. Mason moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson and Marquette—6.

Nays—Messrs. Campbell, Little, Mason, McCormick, Porter and Welch—6.

Mr. President voting in the affirmative, it was carried.

Bill passed and title agreed to.

House file No. 71. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Fremont, in Dodge county.

Mr. Clark moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, Porter and Welch—8.

Nays—Messrs. Campbell, Little, Mason and McCormick—4.

Carried.

Bill passed and title agreed to.

House file No. 93. A bill for an act to locate a territorial road from Fairview, in Sarpy county, to Omaha City, in Douglas county.

Mr. Clark moved that said bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, Porter and Welch—8.

Nays—Messrs. Campbell, Little, Mason and McCormick—4.

Bill passed and title agreed to.

Council bill No. 50. A bill for an act to authorize the auditor to pay the balances due on certain salaries.

Mr. Mason moved that the further consideration of said bill, be indefinitely postponed.

Carried.

Council bill No. 51. A bill to provide for the payment of services rendered in opening books of the territorial treasurer's office.

Mr. Little moved that \$200, be stricken out, and \$300, inserted.

Carried.

Mr. Mason moved that the bill be engrossed for a third reading to-morrow.

Carried.

Mr. Doom moved that the council adjourn till to-morrow morning at 10 o'clock.

Carried.

COUNCIL CHAMBER,

Wednesday, February 10, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Fisher, Porter and Jackson.

Journal read and approved.

Mr. Marquette submitted the following reports:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 94, a bill for an act to amend section three, of chapter thirty-five, of an act entitled an act respecting practice and proceedings in courts of justice, and for other purposes, approved February 13, 1857, having had the same under consideration, would report it back to the council and recommend its passage.

T. M. MARQUETTE, *Chairman.**Mr. President:*

Your committee on the judiciary, to whom was referred house file No. 95, a bill for an act to authorize Jefferson Wilbur to keep a ferry at Covington, Dakota county, Nebraska Territory, having had the same under consideration, would report the same back and recommend that it be indefinitely postponed; and, also, house file No. 67, a bill for an act to regulate marriages.

All of which is respectfully submitted.

T. M. MARQUETTE, *Chairman.*

Joint resolution relative to the president's emancipation proclamation.

Mr. Little moved to refer to the committee on federal relations.

Carried.

Mr. Little, by leave, introduced council bill No. 59. A bill for an act to create and regulate incorporations in the Territory of Nebraska.

Council bill No. 52. A bill for an act to define the duties of territorial auditor and school commissioner, and territorial treasurer.

Bill read for information.

The following message from the house was received:

HOUSE OF REPRESENTATIVES,

February 10, 1864. }

Mr. President:

I am instructed to inform your honorable body that the house have passed

House file No. 114. A bill for an act to revise and consolidate the

laws of a general nature, passed at the second session of the legislative assembly of this Territory.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk*.

Council bill No. 52. Laid over by consent.

Mr. Welch, by leave, introduced council bill No. 60. A bill for an act entitled an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds.

Mr. McCormick submitted the following report:

Mr. President:

Your committee on highways, bridges and ferries, to whom was referred house file No. 102, a bill for an act to locate a territorial road from the terminus of the steam wagon road, on the west side of Otoe county, to strike the territorial road from Nebraska City to Fort Kearney, have had the same under consideration, and would recommend its passage, after being amended so as to require the expenses of locating the same to be paid by the organized counties through which it passes.

JOHN McCORMICK,
F. WELCH.

Also, the following:

Mr. President:

Your select committee, to whom was referred house file No. 91, a bill for an act to regulate weights and measures, beg leave to report the same back and recommend its passage, after being amended to read: Oats thirty-four pounds to the bushel, and blue grass seed fourteen pounds to the bushel, instead of oats thirty-two pounds and blue grass seed ten pounds to the bushel.

JOHN McCORMICK,
D. BUTLER.

House file No. 114. A bill for an act to revise and consolidate the laws of a general nature, passed at the second general assembly of this Territory.

Mr. Little moved that the bill be read first and second times by its title, and referred to committee on the judiciary.

Carried.

House file No. 104. Mr. Butler moved to reconsider the vote by which house file No. 104, a bill for an act to re-locate the county seat of Cedar county, was passed on yesterday.

Carried.

The question being taken upon the passage of the bill it was lost.

House file No. 86. Mr. Doom moved to reconsider the vote by which house file No. 86, a bill for an act to restrain stock from running

at large in Hall county, and Kelly precinct, in Douglas county, was passed on yesterday.

Motion lost.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 51, a bill to provide for the payment of services rendered in opening books of territorial treasurer's office, and find the same correctly engrossed.

D. BUTLER, *Chairman.*

J. C. CAMPBELL.

House file No. 158. A bill for an act to repeal an act entitled an act to appropriate five hundred dollars to re-survey certain lands known to be saline, in Lancaster county, and for other purposes, approved January 10, 1862, and for other purposes.

Bill read for information.

Mr. Doom moved that the bill be read first and second times by its title.

Carried.

Mr. Doom offered the following amendment:

In section 2, sixth line, insert between the words "reservation" and "of," "or as near as practicable thereto."

Carried.

Mr. Doom moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill:

Ayes—Messrs. Butler, Campbell, Clark, Doom, Jackson, Marquette and Welch—7.

Nays—Messrs. Little, McCormick and Porter—3.

Bill passed and title agreed to.

Council bill No. 51. A bill for the payment of services rendered in opening books of territorial treasurer's office.

Mr. Welch moved to reconsider the vote by which "\$300" was stricken out in said bill, and "\$200" inserted, and the bill ordered so engrossed, on yesterday.

Carried.

Mr. Little moved to strike out \$200 and insert \$300.

Carried, and said amount was so inserted.

Mr. Porter moved that the bill, as amended, be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Memorial from W. E. Harvey, in relation to demands claimed to be due him from the Territory, was read and referred to committee on expenditures.

Mr. Butler moved that the vote by which house file No. 107, a bill for an act to restrain stock from running at large in Pawnee county, was defeated, be reconsidered.

Carried.

Mr. Little moved that the bill be re-committed to a committee of one—Mr. Butler.

Carried, and

Bill so referred.

Mr. Mason, by leave, introduced council bill No. 61. Substitute. A bill for an act in relation to the indebtedness of Dakota and Cedar counties, and to determine the amount thereof.

Mr. Marquette moved that the report of the committee of the whole on council bill No. 28, a bill for an act to amend section 310 of the code of civil procedure, in relation to the competency of witnesses, be adopted.

Carried.

Mr. Marquette moved that the bill be ordered engrossed.

Carried.

Council bill No. 62. A bill for an act to amend section second of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864; and section fourteen of an act entitled an act to apportion and define councilman districts, approved January 28, 1864.

Mr. Butler moved that the rules be suspended and the bill be read a second time.

Lost.

Council bill No. 61. A bill for an act in relation to the indebtedness of Dakota and Cedar counties, and to determine the amount thereof.

The council went into committee of the whole upon the consideration of the bill.

Mr. Porter in the chair.

The committee having been in session some time, rose, and through their chairman, reported the bill back without amendment, and recommended its passage.

Mr. Little moved that the council take a recess for half an hour.

Carried.

COUNCIL CHAMBER, }
1½ o'clock P. M. }

Council met pursuant to recess.

The council resumed consideration of council bill No. 61, reported by committee of the whole.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Little, on leave, introduced council bill No. 59. A bill for an act to create and regulate incorporations in the Territory of Nebraska.

Mr. Porter submitted the following report:

Mr. President:

Your committee on agriculture, to whom was referred house file No. 90, a bill for an act to restrain swine from running at large in Richardson county, have had the same under consideration, and beg leave to report the bill back without recommendation.

J. R. PORTER,
T. R. FISHER.

Mr. Butler moved that the bill just reported back to the council, be taken up.

Carried, and

Bill read for information.

Mr. Butler moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded on the passage of the bill:

Ayes—Messrs. Butler, Doom, Jackson, Marquette and Welch—5.

Nays—Messrs. Little and Porter—2.

Carried.

Bill passed and title agreed to.

Council bill No. 59. A bill for an act to create and regulate incorporations in the Territory of Nebraska.

Mr. Butler moved the bill be read first and second times by its title.

Carried.

The bill being so read, the council resolved itself into committee of the whole for its consideration.

Mr. Little in the chair.

The committee having been in session some time, rose, and through its chairman, reported the bill back to the council without amendment, and recommended its passage.

Report adopted.

Mr. Little moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

On motion of Mr. McCormick, Mr. Jackson was excused from further attendance during the day.

Mr. Clark moved to consider bills reported from committees, to-day.
Carried.

House file No. 102. A bill for an act to locate a territorial road from the west terminus of the steam wagon road, on the west line of Otoe county, to strike the territorial road from Nebraska City to Fort Kearney.

Mr. Little offered the following amendment:

Add at the end of section three, the following:

To be paid out of the county treasuries of the counties through which the road passes.

Also,

Add as section four, the following:

This act shall take effect and be in force from and after its passage.

Amendments adopted.

Mr. Clark moved that the bill, as amended, be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 91. A bill for an act to regulate weights and measures.

Mr. Butler moved to adopt the report of the committee.

Carried.

Mr. Welch moved that the bill, as amended, be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Little moved that the council take a recess for half an hour.

Carried.

The council took a recess at 3 o'clock P. M.

COUNCIL CHAMBER,
3½ o'clock P. M.

Council met pursuant to recess.

Council bill No. 52. A bill to define the duties of territorial auditor and school commissioner, and territorial treasurer, was taken up.

Mr. Doom moved to strike out section seven of the bill, upon which motion the ayes and nays were demanded;

Ayes—Messrs. Doom and Marquette—2.

Nays—Messrs. Butler, Campbell, Clark, Little, McCormick, Porter and Welch—7.

Lost.

Bill read a third time by its title.

Passed and title agreed to.

Mr. Little moved that the printed bill, council bill No. 40, a bill for an act to provide for the enrollment of persons subject to military duty, be substituted for and take the place of the written bill.

Carried.

The council resolved itself into committee of the whole for the consideration of said bill.

Mr. Marquette in the chair.

The committee, after having considered the bill, rose, and through its chairman, reported the bill back to the council, with the recommendation that it be indefinitely postponed.

Report adopted.

Mr. Little moved that the vote by which the council adopted the report of committee of the whole on said bill, be reconsidered.

Lost.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, respectfully report that they have examined and compared council bill No. 55, a bill for an act to require recorders to keep records of conveyances of town lots, separate from that of other real estate, and find the same correctly engrossed.

Also,

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses, and find the same correctly engrossed.

D. BUTLER,

J. C. CAMPBELL.

Council bill No. 60. A bill for an act to amend an act entitled an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds.

Mr. Little moved that the bill be read first and second times by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

Mr. Butler moved that council bill No 61, a bill for an act to amend section two of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864; and section fourteen of an act entitled an act to apportion and define councilman districts, approved January 28, 1864, be read first time.

Lost.

Mr. Marquette moved that the council adjourn till to-morrow morning, at 10 o'clock.

Carried.

COUNCIL CHAMBER,
Thursday, February 11, 1864. }

Council met pursuant to adjournment.

The President being unable to attend on account of sickness, the council proceeded to elect a president *pro tempore*.

Mr. Mason was put in nomination, and upon a vote being taken, was unanimously elected.

The president *pro tem.* accordingly took the chair.

Prayer by the chaplain.

Roll called.

Absent—Mr. McCormick.

Journal read and approved.

Mr. Marquette submitted the following report:

Mr. President:

Your committee, to whom was referred house file No. 21, a bill for an act to legalize the organization of Lancaster county, and for other purposes, having had the same under consideration, would report the same back with sundry amendments, and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Porter submitted the following report:

Mr. President:

Your committee on expenditures, to whom was referred the memorial of W. E. Harvey, have had the same under consideration, and beg leave to report a bill back as a substitute, for the consideration of the council.

J. R. PORTER,
J. E. DOOM.

Mr. Doom submitted the following report:

Mr. President:

A majority of the select committee, to whom was referred council bill No. 17, an act for the relief of the families of Nebraska soldiers in the service of the United States, respectfully report the same back to the council, without amendment, and recommend its passage.

J. E. DOOM,
FRANK WELCH.

Mr. Welch, by leave, submitted the following report:

Mr. President:

Your committee, to whom was referred council bill No. 45, a bill for an act to repeal an act to change and re-define the boundaries of Hall county, approved February 1st, 1864, having had the same under consideration, beg leave to report the same back without recommendation.

F. WELCH,
H. T. CLARK.

Mr. Butler submitted the following report:

Mr. President:

Your committee on federal relations, to whom was referred a preamble and resolution relative to the president's emancipation proclamation, have had the same under consideration, and would beg leave to report the following substitute:

D. BUTLER, *Chairman.*

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred a bill for an act to revise and consolidate the laws of a general nature, passed at the second session of the legislative assembly of this Territory, having had the same under consideration, would report the same back and recommend its passage.

T. M. MARQUETTE.

Council bill No. 62. A bill for an act to amend section 2 of an act entitled an act to apportion members of the house of representatives, approved February 1st, 1864, and section fourteen of an act entitled an act to apportion and re-define councilman districts, approved January 28, 1864.

Read first time.

Mr. Butler moved the bill be read a second time by its title.

Call of the house demanded.

Absent—Mr. Jackson.

Mr. Little moved that the sergeant-at-arms be dispatched after absentee.

Carried.

Mr. Jackson appearing within the bar,

Mr. Marquette moved that all further proceedings under the call of the house be dispensed with.

Carried.

Question being taken upon the motion to read a second time, it was lost.

Council bill No. 50. A bill for an act to incorporate the Walnut Grove Cemetery Association.

Mr. Little moved that the bill be laid upon the table.

Carried.

Council bill No. 53. A bill for an act relating to insurance companies.

The council resolved itself into committee of the whole for the consideration of said bill.

Mr. Porter in the chair.

The committee having considered the bill, rose and reported the same back without amendment, and recommended its passage.

Mr. Little moved that report of the committee of the whole be adopted.
Carried.

Mr. Clark moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Marquette moved that the council now take up and consider house file No. 114, a bill for an act to revise and consolidate the laws of a general nature, passed at the second session of the legislative assembly of this Territory.

Carried.

Mr. Marquette moved that the report of the committee on the judiciary be adopted.

Carried.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, }
February 9, 1864. }

Mr. President and Gentlemen of the Council:

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to create and regulate railroad companies.

An act to vacate a part of the town of Greggspport, in Otoe county.

An act relative to changing the county seat of Burt county.

A joint resolution in relation to recovering certain monies paid by the Territory.

E. P. BREWSTER, *Private Secretary.*

Mr. Little moved that the council take a recess for half an hour.
Carried.

Council took a recess at 12 o'clock and 10 minutes.

COUNCIL CHAMBER,
12 o'clock and 40 minutes. }

Council met pursuant to recess.
President *pro tem.* in the chair.

House file No. 119. A bill for an act to provide for elections.
Council went into committee of the whole on said bill.
Mr. Porter in the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 11, 1864.*Mr. President:*

I am instructed to inform your honorable body, that the house have passed—

House file No. 136. A bill for an act to incorporate the Nebraska Immigrant Society.

House file No. 139. A bill for an act to change the time of returning venires for petit jurors in the first and second judicial districts.

House file No. 143. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county, N. T.

House file No. 145. A bill for an act supplemental to an act to incorporate the City of Brownville.

House file No. 142. A bill for an act to amend the charter of Fremont.

And the concurrence of the council is respectfully requested.

I herewith return to you—

Council bill No. 47. A bill for an act to encourage the introduction and raising of sheep in Nebraska.

Council bill No. 61. A bill for an act in relation to the indebtedness of Dakota and Cedar counties and to determine the amount thereof.

The committee of the whole having been in session several hours, rose, and through their chairman, reported the bill back to the council with various amendments, and asked leave to sit again.

Report adopted.

Mr. Clark moved that a committee of one be appointed to prepare an amendment to the bill relating to elections, for the benefit of a class of persons included in the President's amnesty proclamation.

Carried.

Mr. Marquette was appointed said committee.

Mr. Marquette offered the following resolution, which was laid over under the rules:

Resolved, That the enrolling clerk be, and he is hereby empowered to employ such assistance as may be necessary in order to enable him to perform his duties.

Mr. Marquette moved that house bills brought in to-day, be taken up.

Carried.

House file No. 136. A bill for an act to incorporate the Nebraska Immigrant Society.

Read a first and second time by its title, and referred to committee on incorporations.

House file No. 145. A bill for an act supplemental to an act to incorporate the City of Brownville.

Bill read a first and second time by its title, and referred to committee on incorporations.

House file No. 139. A bill for an act to change the time of returning venires for petit jurors, in the first and second judicial districts.

Mr. Butler moved that the bill be read a first and second time by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

House file No. 143. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn City, in Douglas county.

Mr. Clark moved that the bill be read a first and second time by its title, and referred to the committee on highways, bridges and ferries.

Carried.

Bill so read and referred.

Council bill No. 62. A bill for an act to amend section 2 of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864, and section 14 of an act entitled an act to apportion and define councilman districts, approved January 28, 1864, was taken up.

Mr. Little moved that the bill be indefinitely postponed.

Lost.

Mr. Butler moved that the rules be suspended and the bill read a second time by its title.

Motion lost.

Mr. Jackson moved that the council adjourn until to-morrow morning at ten o'clock.

Carried.

COUNCIL CHAMBER,

Friday, February 12, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Butler, Campbell, Jackson and Mason.

Journal read and approved.

Mr. Fisher presented petition of Henry Elliot and others, praying for a road from Nemaha City to the Kansas state line.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred council bill

No. 60, a bill for an act to amend an act entitled an act to prevent overdrawng public funds in counties, and to compel county commissioners to give bonds, having had the same under consideration, would report the same back to the council with the annexed amendment, and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Marquette also submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 139, a bill for an act to change the time of returning venires for petit jurors in the first and second judicial districts, having had the same under consideration, would report it back to the council without amendment, and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Mason reported back the following bill, and recommend its passage:

A bill for an act to amend an act entitled an act to regulate ferries, approved November 3, 1858.

Mr. Mason, by leave, introduced council bill No. 64, a bill for an act to authorize the town council of Nebraska City to raise money to erect a central high school.

Read first and second times by title.

Mr. Little moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Doom submitted the following report:

Mr. President:

The select committee to whom was referred house file No. 137, a bill for an act to restrain stock from running at large in the county of Cass, respectfully report the same back to the council with the amendment thereto attached, and recommend the passage of the bill as amended.

J. E. DOOM,

T. M. MARQUETTE.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 11, 1864.)

Mr. President:

I am instructed to inform your honorable body, that the house passed house file No. 82. A memorial and joint resolution to Congress.

House file No. 75. A bill for an act to regulate the salaries and fees of certain officers in the Territory of Nebraska.

House file No. 122. A bill for an act to authorize the county commissioners of Douglas county to cancel all outstanding county warrants issued prior to January 1st, 1861, and for other purposes.

House file No. 132. A bill for an act for the relief of John Rickley.

House file No. 112. A bill for an act to repeal sections 20 and 21 of an act entitled an act to regulate enclosures and partition fences, approved January 13, 1860.

House file No. 25. A bill for an act to amend an act entitled an act to restrain cattle, sheep and swine from running at large in Cuming county precinct, in Washington county, N. T., approved January 2, 1862.

House file No. 124. A bill for an act regulating sales at auction in Douglas county.

House file No. 85. A bill for a joint resolution for the relief of Samuel V. Niles.

I herewith return to you council bill No. 22. A bill for an act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes, in carrying on the expedition against the Pawnee Indians in the summer of the year 1859.

Council bill —. A substitute for house file No. 47. A bill for an act to attach the north half of Clay county to the county of Lancaster, and the south half of Clay county to the county of Gage.

Council bill No. 49. A bill for an act to authorize John Inhelder to erect a mill-dam across Cedar Creek, Cass county.

Council bill No. 39. A bill for an act to incorporate the Platte Valley Bridge Company.

The same having passed the house without amendment.

I also return,

Council bill No. 11. A bill for an act to revise an act to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11, 1861.

The same having passed the house with certain amendments attached thereto.

The house have concurred on the amendments proposed by the council to house file No. 138, a bill for an act to repeal an act entitled an act to appropriate five hundred dollars to re-survey certain lands known to be saline, in Lancaster county, and for other purposes, approved January 10, 1862, and for other purposes.

Also, house file No. 88. A bill for an act to restrain sheep and swine from running at large in Dixon county.

I am also instructed to inform your honorable body that the house adheres to the amendment proposed by the house to council bill No. 6, a bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage, and

Messrs. Renner, Hobbs and Gantt, are appointed a committee of conference on the part of the house, to confer with a like committee on the part of the council.

I am also instructed to inform your honorable body that the house have refused to concur in the amendments proposed by the council to house file No. 86, a bill for an act to restrain stock from running at large in Hall county, and in the Kelly precinct, Douglas county, N. T.

Also,

House file No. 121. A bill for an act to provide for special terms of the supreme court.

RIENZI STREETER, *Chief Clerk.*

Mr. Butler submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 107, a bill for an act to restrain stock from running at large, during the night, in Pawnee county, have had the same under consideration, and would beg leave to report a substitute, and recommend its passage.

D. BUTLER.

Mr. Fisher submitted the following report:

Mr. President:

Your committee on agriculture, to whom was referred house file No. 99, a bill for an act to encourage the cultivation of fruit and forest trees and grape vines (substitute), having had the same under consideration, would report the same back to the council, and recommend that it be indefinitely postponed.

T. R. FISHER,
J. E. DOOM,
J. R. PORTER.

Mr. Fisher also submitted the following report:

Amendments to the bill for an act to restrain stock from running at large in Otoe and Nemaha counties.

In the first section, third line, strike out the words "are hereby prohibited," and insert "shall be restrained."

In the fourth line of the same section, after the word "large" insert "from the first day of March till the last day of December."

Strike out all of section 2.

Section 3 shall be amended so as to read:

The person whose property is damaged by stock running at large, contrary to the provisions of this act, shall have a lien upon said trespassing animal to secure the payment of damage and costs, and he may enforce the same by civil action.

Substitute for sections 4 and 5, to be numbered section 3:

Any householder or owner of land may impound any stock found trespassing upon his premises, and shall notify the owner or owners, if known, and he may retain such stock till the damages are paid. But when the owner or owners of such stock are unknown, the person impounding said stock, shall proceed with them according to the provisions of the estray law.

Substitute for section 6, to be designated section 4:

In case the parties can not agree as to the amount of damages and costs, each party may choose a disinterested citizen of said precinct, and in case the two men chosen can not agree, they shall choose a third man; the three, after being duly sworn, shall proceed to assess the damages done, and shall make an award in writing.

Strike out sections 8 and 9.

Substitute for section 11, to be numbered 6:

This act shall take effect and be in force, in each precinct in the aforesaid counties of Otoe and Nemaha, as soon as three-fifths of the voters of such precinct shall specify their willingness to accept the same, to be decided by a vote in each township.

Substitute for section 10, to be numbered as 7:

Whenever one-third of the legal voters of any precinct shall petition the county clerk for an election to carry into effect the provisions of this act, said clerk shall proceed directly to give notice of an election in such precinct by advertising for two consecutive weeks in any newspaper published in such county, and by posting up in such precinct, a notice, giving at least ten days notice of such election.

The election shall be conducted according to the provisions of the general election law.

Add the following section:

SEC. 8. All acts and parts of acts, so far as they conflict with the provisions of this act, are hereby repealed.

[Report not signed.]

Mr. Marquette moved to take up resolution in reference to enrolling clerk.

Carried.

Resolution passed.

Joint resolution in regard to the president's emancipation proclamation, was taken up and read.

Mr. Marquette moved to adopt the substitute proposed by the committee.

Ayes and nays demanded:

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Mason, McCormick and Welch—8.

Nays—Messrs. Campbell, Little and Porter—3.

Carried.

Mr. Mason, by leave, introduced council bill No. 66. A bill for an act to define the duties of adjutant-general of the Territory of Nebraska.

Bill read first and second times.

Mr. Porter moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined and compared council bill No. 47, a bill for an act to encourage the introduction and raising of sheep in Nebraska, and find the same correctly enrolled.

After having the same signed by the president of the council, speaker of the house, and chief clerk of the council, presented the same to the governor for his signature, at ten o'clock, this, February 12, 1864.

D. BUTLER, *Chairman.*

Also, the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 35, an act to authorize the governor of this Territory to offer rewards for the apprehension of criminals.

Also,

Council bill No. 28. A bill for an act entitled an act to repeal an act to restrain sheep and swine from running at large in the county of Burt, so far as the same relates to Arizona precinct, of said county.

And,

Council bill No. 36. Memorial and joint resolution praying for an appropriation to build a penitentiary, and find them correctly enrolled.

After having them signed by the president of the council, the speaker of the house, and chief clerk of the council, presented the same to the governor for his signature, at 10 o'clock, this, February 12, 1864.

D. BUTLER, *Chairman.*

Council bill No. 63. A bill for the relief of R. C. Jordan and W. E. Harvey.

Read first time.

Mr. Porter moved that the bill be read a second time.

Mr. Little moved that the bill be indefinitely postponed.

Ayes and nays demanded:

Ayes—Messrs. Butler, Clark, Doom, Little, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Fisher, Mason and Porter—4.

Carried.

House file No. 121. A bill for an act to provide for special terms of the supreme court.

The house having refused to concur in the amendment by the council to said bill—to strike out, in the 12th and 13th lines of section 2, the words: "and in one newspaper in Nebraska City"—

Mr. Little moved that the council recede from its amendment.

Carried.

House file No. 122. A bill for an act to authorize the county commissioners of Douglas county to cancel all the outstanding county warrants issued prior to January 1, 1861, and for other purposes.

Read first time.

Mr. Little moved that the bill be read a second time by its title, and referred to the delegation from said county—

Messrs. Little, McCormick and Porter.

Carried.

Bill so read and referred.

Council bill No. 6. A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage.

Mr. Marquette moved that the council do not insist on its disagreement to the amendments proposed by the house to said bill.

Pending which, was received the following

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 12, 1864. }

Mr. President:

I herewith return to you,

Council bill No. 59. A bill for an act to create and regulate incorporations in the Territory of Nebraska.

The same having passed the house without amendment.

I am instructed to inform your honorable body that the house have concurred in the amendments proposed by the council to house file No. 105. A bill for an act defining the duties of county surveyors.

Also,

That the house have refused to concur in the amendments proposed by the council to house file No. 91. A bill for an act to regulate weights and measures.

Also,

That the house have refused to recede from their disagreement to the amendments proposed by the council to house file No. 33. A bill for an act to provide for the enumeration of the residents within the Territory of Nebraska.

I am also instructed to inform your honorable body that the house have concurred in the amendments proposed by the council to house file No. 102. A bill for an act to locate a territorial road from the west terminus of the steam wagon road, on the west line of Otoe county, to strike the territorial road from Nebraska City to Fort Kearney.

Also,

In the amendments proposed by the council to joint resolution.

Also,

That the house have passed

House file No. 146. A bill for an act to regulate marriages.

House file No. 147. A bill for an act to amend an act entitled an act regulating ferries, approved November 3, 1858.

House file No. 148. A bill for an act to confer the privileges of the elective franchise upon Edwin Hamell and Achan Hamell.

Also,

That the house have refused to concur in the amendments proposed by the council to house file No. 79. A bill for an act to restrain stock from running at large in the counties of Clay, Lancaster and Seward.

I herewith return to you,

Council bill No. 51. A bill for an act to provide for the payment of services rendered in opening the books of territorial treasurer's office.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Mr. Clark moved that council take a recess for one hour.

Lost.

Mr. Marquette moved that the council take a recess for a half hour.

Lost.

Mr. Clark moved a call of the house.

Absent—Mr. McCormick.

Mr. Clark moved that the sergeant-at-arms be dispatched after absentee.

Carried.

Mr. Little moved that all further proceeding under the call be dispensed with.

Lost.

Mr. Marquette, by common consent, withdrew the motion then pending, and the further consideration of the question was postponed for the time.

Mr. Clark moved that all further proceedings under the call be dispensed with.

Carried.

House file No. 28. A bill for an act to amend an act entitled an act to restrain cattle, sheep and swine from running at large in the Cuming City precinct, in Washington county, Nebraska Territory, approved January 2d, 1862, was taken up and

Read first time.

Mr. Welch moved that the bill be read second and third times by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 86. A bill for an act to restrain cattle from running

at large in Hall county, and in the Kelly precinct, Douglas county, was taken up.

Mr. Little moved that the council adhere to amendment.

Call of the house demanded.

Absent—Messrs. Doom, Jackson and McCormick.

Mr. Mason moved that all further proceedings under the call be dispensed with.

Carried.

The question being put upon the pending motion, it was lost.

House file No. 112. A bill for an act to repeal sections 20 and 21, of an act, entitled an act to regulate enclosures and partition fences, approved January 13th, 1860.

Read first time.

Mr. Mason moved that the bill be read a second time by its title, and referred to committee on agriculture.

Carried.

Bill so read and referred.

House file No. 132. A bill for the relief of John Rickley.

Read first time.

Mr. Clark moved that the bill be read a second time by its title.

Carried.

Mr. Marquette moved it be referred to committee on expenditures.

Carried.

House file No. 85. A bill for the relief of Samuel V. Niles.

Read first time.

Mr. Marquette moved that the bill be read a second time by its title.

Lost.

House file No. 124. A bill for an act regulating sales at auction in Douglas county.

Mr. Little moved that the bill be read first and second times by its title.

Carried.

Mr. Porter moved that it be referred to the delegation from Douglas county—Messrs. Porter, Little and McCormick.

Carried.

Bill so referred.

House file No. 82. A memorial and joint resolution.

Read first time.

Mr. Mason moved that the council take a recess for half an hour.

Carried.

And the council accordingly took a recess at 20 minutes to 2 o'clock P. M.

COUNCIL CHAMBER,

2 o'clock—10 minutes P. M. }

Council met pursuant to recess.

President in the chair.

Call of the house demanded.

Absent—Messrs. Clark, Doom, Fisher, Jackson and Little.

Mr. Butler moved that the sergeant-at-arms be dispatched after absentees.

Carried.

Absentees appearing within the bar, Mr. Marquette moved that all further proceedings under the call be dispensed with.

Carried.

Council bill No. 11. A bill for an act to revise an act, to provide for the valuation and assessment of real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

The amendments proposed by the house to said bill, were taken up and considered separately.

First amendment concurred in.

Mr. Doom moved that the council concur in the second amendment.

Lost.

Mr. Mason moved to reconsider the vote by which the council refused to concur in said second amendment.

Carried.

Mr. Mason moved that the council concur in the same.

Carried.

Mr. Doom moved that the council concur in the third amendment.

Carried.

Mr. Doom moved that the council concur in the first proposition in the fourth amendment.

Carried.

Mr. Doom moved to concur in the second proposition in said fourth amendment.

Lost.

Mr. Doom moved that the council concur in the fifth amendment.

Carried.

Mr. Doom moved that the council concur in the sixth amendment.

Carried.

Mr. Welch moved to reconsider the vote by which the council concurred in the amendment to section fifty-nine of said bill, in regard to publication of notice, &c.

Carried.

Mr. Little moved that the council refuse to concur in said amendment.

Carried.

Mr. Marquette moved that the council recede from their disagreement to the amendments proposed by the house to council bill No. 6.

A bill for an act to enable the militia and volunteers of this Territory, when in the military service of the United States, to exercise the right of suffrage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried.

House file No. 91. A bill to regulate weights and measures.

Mr. Mason moved that the council adhere to their amendment to said bill.

Carried.

House file No. 99. A bill for an act to restrain cattle from running at large in the counties of Clay, Lancaster and Seward.

Mr. Doom moved that the council recede from its amendments to said bill.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Porter and Welch—7.

Nays—Messrs. Campbell, Little, Mason and McCormick—4.

Carried.

House file No. 33. A bill for an act to provide for taking the enumeration of the residents within the Territory of Nebraska.

Mr. Campbell moved that the council recede from its amendments to said bill.

Ayes and nays demanded.

Ayes—Messrs. Campbell, Clark, Little and Mason—4.

Nays—Messrs. Butler, Doom, Fisher, Jackson, Marquette, McCormick, Porter and Welch—8.

Motion lost.

House file No. 146. A bill for an act to regulate marriages.

Mr. Mason moved that the bill be read first, second and third times by its title, and put upon its passage.

Lost.

Mr. Marquette moved that the bill be read first and second times.

Carried.

Mr. Mason moved that it be referred to committee on the judiciary.

Carried.

House file No. 147. A bill for an act to amend an act entitled an act regulating fines, approved November 3d, 1858.

Mr. Mason moved that the bill be read first and second times by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

House file No. 148. A bill for an act to confer the privilege of the elective franchise upon Edwin Hamell and Achan Hamell.

Bill read first time.

Mr. Marquette moved that the bill be read a second third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick and Welch—8.

Nays—Messrs. Campbell, Little, Mason and Porter—4.

Carried.

Bill passed and title agreed to.

House file No. 75. A bill for an act to regulate salaries and fees of certain officers in Nebraska.

Mr. Little moved that the bill be read first, second and third times, and put upon its passage.

Lost.

Mr. Doom moved that the bill be read first and second times by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

House file No. 119. A bill for an act to provide for elections.

Mr. Mason moved that the council resolve itself into a committee of the whole for the consideration of said bill.

Carried.

The council accordingly went into a committee of the whole—Mr. Porter in the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 12, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house have passed

House file No. 140. A bill for an act for bonding the scrip of the city of Omaha.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

The committee of the whole having been in session some time, now rose, and through its chairman, reported progress, and asked leave to sit again.

Council bill No. 17. An act for the relief of the families of Nebraska soldiers in the service of the United States.

Mr. Doom moved that the report of the committee on said bill be adopted.

Lost.

Mr. Doom moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Mr. Little moved a call of the house.

Absent—Mr. Jackson.

Mr. Little moved that the sergeant-at-arms be dispatched after absentee.

Carried.

Mr. Jackson appearing within the bar, all further proceedings under the call were dispensed with.

The question recurring upon the passage of the bill, the ayes and nays were demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Jackson, Marquette, McCormick and Welch—8.

Nays—Messrs. Campbell, Little and Porter—3.

Bill passed and title agreed to.

A bill for an act to require recorders to keep the record of conveyances of town lots separate from that of other real estate.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 28. A bill for an act to amend section 310, of the code of civil procedure, and in relation to the competency of witnesses.

Mr. Marquette moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Marquette, McCormick and Welch—8.

Nays—Messrs. Jackson, Little and Porter—3.

Carried.

Bill passed and title agreed to.

House file No. 21. A bill for an act to legalize the organization of Lancaster county, and for other purposes.

Mr. Butler moved to adopt the report of the committee on said bill, Carried.

Mr. Doom moved that the bill, as amended, be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Marquette moved that Mr. Jackson be excused from further attendance at the council during the day.

Carried.

Mr. Doom moved to reconsider the vote by which the council passed council bill No. 55.

Carried.

The question then being taken upon the passage of the bill, it was lost.

Council bill No. 45. A bill for an act to repeal an act entitled an act to change and re-define the boundaries of Hall county, approved February 1st, 1864.

Mr. Little moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 56. A bill for an act making appropriations for the expenses of the territorial government for the year 1864, and for the payment of certain claims against the Territory, was taken up.

Mr. Doom moved that the printed bill be substituted for the original bill.

Carried.

The council then went into a committee of the whole for the consideration of said bill.

Mr. Marquette in the chair.

The committee having been in session several hours, rose, reported progress, and asked leave to sit again.

Mr. Butler submitted the following report:

Mr. President:

Your committee on engrossed and enrolled bills, have examined council bill No. 22, a bill for an act for the relief of Robert Moorland.

Also,

Substitute for house file No. 47. A bill for an act to attach the north half of Clay county, to the county of Lancaster, and the south half of Clay county, to the county of Gage.

Also,

Council bill No. 49. A bill for an act to authorize John Inhelder to erect a mill-dam across Cedar creek, Cass county.

Also,

Council bill No. 61. A bill for an act in relation to the indebtedness of Cedar county, and find them correctly enrolled.

After having them signed by the president of the council, speaker of the house, and the chief clerk of the council, presented them to the governor for his signature at 4 o'clock P. M., this February 12th, 1864.

D. BUTLER.

Mr. Little moved that the council now adjourn till 10 o'clock to-morrow morning.

Carried.

COUNCIL CHAMBER,
Saturday, February 13, 1864.

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Fisher, Jackson and Little.

Journal read and approved.

Mr. Porter submitted the following report:

Mr. President:

Your committee on expenditures, to whom was referred house file No. 132, an act for the relief of John Rickley, having had the same under consideration, and believing from the evidence submitted to your committee, that the articles were furnished as set forth in the bill and affidavits of several parties; and having paid all the claims supposed to be just, heretofore, would beg leave to report the bill back and recommend the passage of the same.

JOHN R. PORTER.

J. E. DOOM.

JOHN C. CAMPBELL,

Mr. Butler submitted the following report:

Mr. President:

Your committee on federal relations, to whom was referred a joint resolution relative to the state of the Union, have had the same under consideration, and would beg leave to report the same back and recommend its passage.

D. BUTLER, *Chairman.*

Mr. McCormick submitted the following report:

Mr. President:

Your committee on highways, bridges and ferries, to whom was referred house file No. 143, a bill for an act to locate a territorial road from Bellevue, Sarpy county, to Elkhorn City, Douglas county, report the same back and recommend that it do not pass.

JOHN MCCORMICK,

FRANK WELCH,

T. R. FISHER.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 146, a bill for an act to regulate marriages, and also house file No. 147, a bill for an act to amend an act entitled an act regulating ferries, approved November 3, 1858, have had the same under consideration,

and would report the same back to the council without recommendation.

T. M. MARQUETTE, *Chairman.*

Mr. Marquette also submitted the following report:

Mr. President:

A majority of your committee on the judiciary, to whom was referred house file No. 16, a bill for an act to regulate practice and proceedings in chancery, having had the same under consideration, would report it back to the council, and recommend its passage..

T. M. MARQUETTE.

Mr. Porter submitted the following report:

The committee of the whole having had under consideration house file No. 119, a bill for an act to provide for elections, have directed me to report the following amendments:

Section 5, second line, amend so as to read after the word "clerk," "or any justice of the peace or other person authorized to administer oaths within the county," and strike out the word "proper," in the second line.

Strike out section 10, and substitute a new section.

Section 13, line 20, strike out the words "and not intoxicated."

Section 20, first line, strike out "and ballots." In second line, strike out "their," and insert "its." In third line, strike out all between the word "keeping" and the word "and," in the fourth line.

Section 18, line 9, strike out "one hundred."

" " 10, " " "sixty."

" " 11, " " "eighty."

" " 12, " " "sixty."

" " 13, " " "eighty."

Strike out section 25.

Section 28, line 16, strike out "of said offenses."

Section 28, line 15, strike out the word "general," and insert "annual."

In section 34, line 7, after the word "party," strike out the word "but;" and in same line, after the word "evidence," strike out the words "need not" and insert the word "shall."

In ninth line of same section, after the word "thereon," strike out "which shall be final." In 11th and 12th lines of same section, strike out, after the word "aforesaid." In 11th line, the words "and his;" and in 12th line, the words "his decision shall be final." At the end of said section 34, add: "Provided, however, that either party feeling aggrieved at the decision of said justices of the peace, or justice of the peace, shall have the right to appeal to the district court, under the same rules and regulations as are provided for appeals from courts of justices of the peace to the district court."

Section 41, line 3, strike out "and put on bread and water."

Section 42, strike out all of the section after the word "thereof," and insert the following: "be fined in any sum not less than one hundred dollars, and imprisoned in the county jail for a period of not less than

one year nor more than three years, and put to hard labor on the public highways, in the county where said offense was committed, or both such fine, imprisonment and labor, at the discretion of the court."

Add the above insertion to the 47th and 50th sections.

In section 45, strike out all after the word "thereof," in third line, and insert the words, "be fined in any sum not exceeding five hundred dollars."

In section 44, strike out all after the word "dollars," in the sixth line.

In section 21, second line, strike out the word "six" and insert the word "sixty."

Add to section 52 the following, which is attached to bill? [This is the language of the report.]

Strike out, in the first line of section 26, the words "United States Attorney," and insert "Auditor."

In section 33, seventh line, strike out the words "United States Attorney," and insert "Auditor."

In section 24, second line, strike out the words "United States Attorney," and insert "Auditor."

In section 62, line 7, after the word "shall," insert the words "in any manner."

In section 58, first and second lines, strike out the words "in the penitentiary," and insert "and sentenced to the county jail and hard labor, as herein provided."

A new section added, called section 62.

Section 62 to be numbered 63.

A new section to be numbered 64.

Section 65. This act shall take effect and be in force from and after its passage.

JOHN R. PORTER, *Chairman.*

Mr. Campbell, by leave, introduced council bill No. 65. A bill for an act to restrain stock from running at large in the county of Otoe, in the night.

Mr. Porter submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 124, an act regulating sales at auction in Douglas county, have had the same under consideration, and would beg leave to report the bill back, and recommend its passage.

JOHN R. PORTER,
JOHN McCORMICK,
W. A. LITTLE.

Substitute for house file No. 63. A bill for an act for bonding the scrip of the City of Omaha, was taken up.

Mr. McCormick moved that the bill be read a first and second time by its title, and referred to the delegation from Douglas county.

Carried.

Bill so read and referred to a select committee consisting of Messrs. McCormick, Little and Porter.

House file No. 82. Memorial and joint resolution.

Mr. Butler moved that it be indefinitely postponed.

Carried.

Council bill No. 62. A bill for an act to amend section 2 of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864, and section 14 of an act entitled an act to apportion councilman districts, approved January 28, 1864.

Mr. Porter moved that the bill be referred to the committee on the judiciary.

Mr. McCormick moved a call of the house.

Absent—Messrs. Jackson, Little and Mason.

Mr. Marquette moved that all further proceedings under the call be dispensed with.

Carried.

The question recurring upon the pending motion to refer the bill to the committee on the judiciary, it was carried.

Bill so read and referred.

House file No. 85. Joint resolution for the relief of Samuel V. Niles.

Mr. Mason moved that the bill be indefinitely postponed.

Carried.

House file No. 119. A bill for an act to provide for elections.

Mr. Mason moved that the report of the committee of the whole be adopted.

Carried.

Mr. Mason moved that the bill, as amended, be read a third time and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Fisher, Jackson, Marquette, Mason, McCormick and Welch—10.

Nays—Messrs. Little and Porter—2.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 13, 1864.

Mr. President:

I am instructed to inform your honorable body, that the house have passed council bill No. 64. A bill for an act to authorize the town council of Nebraska City to raise money to erect a central or high

school building, the same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Mr. Doom moved that the council recede from its amendment to house file No. 86. A bill for an act to restrain stock from running at large in Hall county, and in Kelly precinct, Douglas county.

Mr. Mason moved a call of the house.

All present.

Upon the motion to recede, the ayes and nays were demanded.

Mr. Mason moved that Mr. Butler be excused from voting on said question.

Lost.

The question being taken, the vote was as follows:

Ayes—Messrs. Clark, Doom, Fisher, Jackson, Marquette and Welch—6.

Nays—Messrs. Butler, Campbell, Little, Mason, McCormick and Porter—6.

The president casting his vote in the affirmative, the motion prevailed.

Council bill No. 40. Substitute for house file No. 107. A bill for an act to restrain stock from running at large, during the night, in Pawnee county.

Mr. Butler moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 24. A bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute, was taken up.

Mr. Mason moved that the bill be ordered engrossed.

Carried.

Council bill No. 65. A bill for an act to restrain stock from running at large in Otoe county, during the night.

Mr. Campbell moved that said bill be read a first and second time.

Carried.

Mr. Mason moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Mason, by leave, introduced council bill No. 66. A bill to amend section 7 of an act to allow the funding of the indebtedness of the Territory, approved January 11, 1861.

Mr. Mason moved that the bill be read a first and second time.

Carried.

Mr. Porter moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 124. A bill for an act regulating sales at auction in Douglas county, was taken up.

Mr. Porter moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Jackson submitted the following reports:

Mr. President:

Your committee on incorporations, to whom was referred house file No. 145, a bill for an act supplemental to an act to incorporate the City of Brownville, having had the same under consideration, beg leave to report it back, and recommend its passage.

A. H. JACKSON.

W. A. LITTLE.

D. BUTLER.

Mr. President:

Your committee on incorporations, to whom was referred house file No. 136, A bill for an act to incorporate the Nebraska Immigrant Society, having had the same under consideration, beg leave to report it back to the council and recommend the following amendments: At the end of 3rd section, add the following: "or the laws of this Territory now in force or hereafter to be passed." Also, at the end of the 4th section, add the following: "not inconsistent with the laws of this Territory now in existence, or hereafter to be passed."

Respectfully submitted.

A. H. JACKSON,

W. A. LITTLE,

D. BUTLER.

Mr. Doom moved that the council take a recess for a half hour.

Council took a recess at 12 o'clock M.

COUNCIL CHAMBER,
12½ o'clock P. M. }

Council met pursuant to adjournment.

President in the chair.

House file No. 99. An act to encourage the cultivation of forest and fruit trees and grape vines.

Mr. Porter moved that said bill be indefinitely postponed.

Carried.

Council bill No. 46. A bill for an act to amend an act entitled an act regulating ferries, approved November 3, 1858.

Mr. Little moved to indefinitely postpone the bill.

Carried.

House file No. 106. A bill for an act to restrain stock from running at large in Otoe and Nemaha counties.

Mr. Mason moved that the bill be indefinitely postponed.

Carried.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house have passed—

House file No. 135. A bill for an act to amend an act entitled an act for the better regulation of schools in Nebraska, approved November 4, 1858.

House file No. 150. Substitute for council bill No. 57. A bill for an act for the protection of sheep.

House file No. 151. A bill for an act for the care and custody of insane persons.

House file No. 152. A bill for an act to restrain stock from running at large, during the night, in Wyoming, Delaware, McWilliams, Syracuse and Hendricks precincts, Otoe county, Nebraska Territory.

House file No. 153. A bill for an act supplementary to an act to revise and consolidate the laws of a general nature, passed at the second session of the legislative assembly, and the concurrence of the council is respectfully requested.

Also, I am instructed to inform your honorable body, that the house have concurred in the amendments proposed by the council to house file 21. A bill for an act to legalize the organization of Lancaster county, and for other purposes.

RIENZI STREETER, *Chief Clerk.*

Mr. Butler submitted the following report:

Mr. President:

The committee on engrossed and enrolled bills, respectfully report that they have carefully compared council bill No. 24, a bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute, and find the same correctly engrossed.

D. BUTLER, *Chairman.*

Council bill No. 24. A bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute, was taken up.

Mr. Butler moved that the bill be read a third time and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill:

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, McCormick, and Porter—7.

Nays—Messrs. Little and Mason—2.

Bill passed and title agreed to.

Council bill No. 60. A bill for an act to amend an act entitled an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds, was considered.

Mr. Mason moved that the report of the committee on said bill, be adopted.

Carried.

Mr. Mason moved that the bill be ordered engrossed.

Carried.

House file No. 137. A bill for an act to change the time of returning venires for petit jurors, in the first and second judicial districts.

Mr. Mason moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Porter moved that house file No. 32, a bill for an act for the relief of John Rickley, be taken up.

Lost.

Mr. Clark moved that Mr. Jackson be excused from further attendance upon the council during the day.

Carried.

Council bill No. 34. A bill for an act to incorporate Bellevue College.

Mr. Clark moved that said bill be read a third time and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Fisher, Marquette, Porter and Welch—7.

Nays—Messrs. Little, Mason and McCormick—3.

Carried.

Bill passed and title changed by common consent to "All-Soul's College."

Council bill No. 44. A bill for an act to incorporate the Pawnee City Cemetery Association.

Mr. Little moved that the bill be indefinitely postponed.

Carried.

Mr. Marquette moved that the council go into committee of the whole upon house file No. 16. A bill for an act to regulate practice and proceedings in chancery.

Carried.

The council accordingly went into committee of the whole on said bill.

Mr. Mason in the chair.

The committee having been in session some time, rose, and through

its chairman reported the bill back to the council with sundry amendments, and recommended the adoption of the amendments.

Mr. Little moved that the report be adopted.

Carried.

Mr. Butler submitted the following reports :

Mr. President :

Your committee on engrossed and enrolled bills, have examined council bill No. 60, and find it correctly engrossed.

D. BUTLER, *Chairman.*

Mr. Marquette moved that the council go into a committee of the whole for the consideration of council bill No. 56. A bill for an act making appropriations for the expenses of the territorial government for the year, 1864, and for the payment of certain claims against the Territory.

Carried.

The council accordingly resolved itself into a committee of the whole.

Mr. Marquette in the chair.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, }
February 13, 1864. }

Mr. President and Gentlemen of the Council :

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills :

An act to encourage the introduction and growth of sheep in Nebraska.

An act to repeal an act entitled an act to restrain sheep and swine from running at large in the county of Burt, so far as it applies to Arizona precinct in said county, approved December 31st, 1861.

A memorial and joint resolution, praying for an appropriation to build a penitentiary.

An act to authorize the governor to offer rewards for the apprehension of criminals.

An act to authorize John Inhelder to erect a mill-dam across Cedar creek, Cass county.

An act for the relief of Robert Moorland, for a horse pressed and taken by Samuel Black, late governor of Nebraska, and used and appropriated for government purposes, in carrying on the expedition against the Pawnee Indians, in the Summer of the year 1859.

E. P. BREWSTER, *Private Secretary.*

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1864. }

Mr. President:

I herewith return to your honorable body council bill No. 11, a bill for act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861, and am directed to inform you that the house adheres to their amendment to section 59 of said bill; and also so much of section 88, as relates to the fees of county clerk; and that the house recede from so much of their amendment to section 88, as relates to the fees of county treasurer.

RIENZI STREETER, *Chief Clerk.*

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 13, 1864. }

Mr. President:

I herewith return to your honorable body, council bill No. 66, a bill to amend the second section of an act, to allow the funding of the indebtedness of the Territory of Nebraska, approved January 11th, 1861.

Council bill No. 34. An act to incorporate All-Souls' College.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

The committee of the whole, having been in session several hours, rose, and reported the bill back to the council with sundry amendments, and recommended the passage of the bill as amended.

Report adopted.

Council bill No. 11. A bill for an act to revise an act, to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

Mr. Doom moved that the council recede from its disagreement to the amendment proposed by the house to section 59 of said bill.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Marquette, McCormick, Porter and Welch—7.

Nays—Messrs. Campbell, Little, Fisher and Mason—4.

Carried.

Mr. Doom moved that the council also recede from its disagreement to so much of the amendment proposed by the house to said section 80, of said bill, as relates to the fees of county clerk.

Carried.

House file No. 16. A bill for an act entitled an act to regulate the practice and proceedings in chancery, was taken up.

Mr. Mason moved that the bill, as amended, be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Marquette submitted the following report:

Mr. President:

A majority of your committee, to whom was referred council bill No. 62, a bill for an act to amend section second of an act, entitled an act to apportion members of the house of representatives, approved February 1st, 1864, and section 14 of an act, entitled an act to apportion councilman districts, approved January 28th, 1864, would report the same back to the council, and recommend its passage.

T. M. MARQUETTE.

O. P. MASON.

Mr. Campbell moved that the report of the committee be adopted.
Lost.

Mr. Porter moved to take up house file No. 132. A bill for an act for the relief of John Rickley.

Lost.

Mr. Mason moved to reconsider the vote by which the council refused to take up said bill.

Carried.

Mr. Porter moved that the bill be read a third time, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Call of the house demanded.

Absent—Mr. Butler.

Absentee appearing within the bar, all further proceedings under the call were dispensed with.

The question being taken, resulted as follows:

Ayes—Messrs. Clark, Doom, Fisher, Little, McCormick, Porter and Welch—7.

Nays—Messrs. Butler, Campbell, Marquette and Mason—4.

Carried.

Bill passed and title agreed to.

Mr. Doom moved that the council adjourn until Monday morning next at 10 o'clock.

COUNCIL CHAMBER,
Monday, Feb. 15, 1864. }

Council met pursuant to adjournment.

President in the chair.

Prayer by the chaplain.

Roll called.

Absent—Messrs. Clark, Little, Mason, McCormick and Porter.

Journal read and approved.

Mr. Welch moved a call of the house.

Absent—Messrs. Butler, Clark, Little, Mason, McCormick and Porter.

Absentees appearing within the bar, all further proceedings under the call were dispensed with.

Mr. Butler submitted the following report:

Mr. President:

The committee on engrossed and enrolled bills, have carefully compared council bill No. 56, a bill for an act making appropriations for the expenses of the territorial government for the year 1864, and for the payment of certain claims against the Territory, and find the same correctly engrossed.

D. BUTLER, *Chairman.*

Mr. Fisher submitted the following report:

Mr. President:

Your committee to whom was referred house file No. 112, a bill for an act to repeal an act entitled an act to regulate enclosures and partition fences, approved January 13th, 1860, having had the same under consideration, would report the same back and recommend its passage.

T. R. FISHER.

Mr. Marquette submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 75, a bill for an act to regulate the salaries and fees of certain officers in the Territory of Nebraska, having had the same under consideration, would report it back to the council, and recommend its passage.

T. M. MARQUETTE, *Chairman.*

Mr. Little submitted the following report:

Mr. President:

Your select committee, to whom was referred house file No. 140, a substitute for house file No. 63, a bill for an act for bonding the city scrip debt of the city of Omaha, having given the same that consider-

ation which the importance of the subject demands, beg leave to report the same back to the council, with the following amendments:

In the title of the bill, strike out all after the word "scrip," and insert the following: "Issued by Jesse Lowe, mayor of the city of Omaha, and for other purposes."

After the word "by" in the ninth line of the first section, insert the following: "Jesse Lowe mayor of."

Strike out all after the word "bonded," in the tenth line, to the word "for," last occurring in the eleventh line of section one.

In fifteenth line of same section, strike out the words "not for," and insert the word "against."

After the word "or," first occurring in the fifteenth line of the same section, strike out the words "for bonding scrip for principal or."

In the seventeenth line of same section, strike out the word "shall," and insert "may."

In the first section, strike out the 18th, 19th and 20th lines.

And at the end of section second, the following:

"But in case a majority of the legal voters of said city do not vote at such election in favor of bonding said scrip for principal and interest, then no such bonds shall be prepared, printed or issued, and this act shall be null and void."

Strike out all after the word "respectively" in the eighth line of the third section, to the word "the" in the twelfth line of the same section.

Strike out all after the word "blank" in the fifteenth line of section three.

In section four, first line, after the word "scrip," strike out the words "of the city of Omaha," and insert the words "so issued as aforesaid."

In the third line of same section, strike out the word "shall," and insert the word "may."

In fifth line of fourth section, after the word "prefer," strike out all to the word "equal," in the seventh line of the same section.

Strike out all after the word "scrip," in the eighth line, to the word "and," in the tenth line of section four.

At the end of section four, add the following:

"*Provided*, that in case a majority of the legal voters of said city, do not vote at such election for bonding as aforesaid, then no such bonds shall be issued; and in no event shall any such bonds be issued until after the 1st day of April, A. D., 1864."

Strike out all of section six; after the word "scrip," in the fifth line of the section, and insert the words "in his office."

Strike out sections seven, eight and nine.

Change the number of section ten to seven.

Add as section eight, the following:

"This act shall not be so construed as to legalize the said scrip so issued as aforesaid; and the said city of Omaha is hereby authorized and empowered, to plead and maintain any defense to the said bonds or either of them issued under the provisions of this act, that could be pleaded or maintained to said scrip or any part thereof at this time,

either in law or in equity; it being intended, if voted for as aforesaid to change the form of the so-called indebtedness, from scrip to bonds; and to place the bonds, in regard to their legality or validity, upon the same footing, in law and in equity, as the said scrip now stands."

All of which is respectfully submitted.

W. A. LITTLE,
JOHN McCORMICK,
JOHN R. PORTER.

Mr. Mason submitted the following report:

COUNCIL CHAMBER, OMAHA, N. T., }
February 15, 1864. }

To the President of the Council:

Your special committee appointed in pursuance of an act to allow the funding of the indebtedness of the Territory of Nebraska, approved January 11th, 1861, to examine and ascertain if the law providing for the funding of the territorial indebtedness, aforesaid, has been faithfully complied with; have attended to the duty devolved upon them by the provisions of said act, and submit the following report of bonds issued, and warrants, bonds, &c., cancelled:

STATEMENT NO. 1.

Bonds issued by A. S. PADDOCK, Secretary of the Territory, in accordance with an act entitled "An act to allow the funding of the indebtedness of the Territory." Approved January 11, 1861.

Date.	Number.	To whom issued.	Amount.
August 29, 1861.....	1. A.	Eleazer Wakely.....	\$500 00
".....	2. A.	".....	500 00
".....	3. A.	".....	500 00
".....	4. A.	".....	500 00
November 20, 1861.....	6. A.	Mrs. Priscilla Waterbury.....	500 00
November 22, 1861.....	7. A.	Alfred Conkling.....	500 00
".....	8. A.	".....	500 00
".....	9. A.	".....	500 00
".....	10. A.	".....	500 00
".....	11. A.	".....	500 00
".....	12. A.	".....	500 00
November 28, 1861.....	13. A.	George W. Doane.....	500 00
".....	14. A.	Francis Smith.....	500 00
January 17, 1862.....	15. A.	Otoe County.....	500 00
July 1, 1862.....	16. A.	".....	500 00
November 1, 1862.....	17. A.	John J. Monell.....	500 00
".....	18. A.	".....	500 00
".....	19. A.	".....	500 00
".....	20. A.	Nathaniel B. Smith.....	500 00
".....	21. A.	".....	500 00
".....	22. A.	".....	500 00
November 29, 1862.....	23. A.	O. D. Richardson.....	500 00
August 29, 1861.....	1. B.	Eleazer Wakely.....	100 00
".....	2. B.	".....	100 00
".....	3. B.	".....	100 00
".....	4. B.	".....	100 00
".....	5. B.	".....	100 00
".....	6. B.	".....	100 00
".....	7. B.	".....	100 00
".....	8. B.	".....	100 00
".....	9. B.	".....	100 00
".....	10. B.	".....	100 00
November 20, 1861.....	11. B.	John Harris.....	100 00
".....	12. B.	".....	100 00
".....	13. B.	Mrs. Priscilla Waterbury.....	100 00
".....	14. B.	George W. Doane.....	100 00
November 22, 1861.....	15. B.	Alfred Conkling.....	100 00
".....	16. B.	".....	100 00
".....	17. B.	".....	100 00
".....	18. B.	".....	100 00
".....	19. B.	".....	100 00
".....	20. B.	".....	100 00

Carried forward..... \$13,000 00

BONDS—Continued.

Date.	Number.	To whom issued.	Amount.
		Brought forward.....	\$13,000 00
November 22, 1861.....	21. B.	Alfred Conkling.....	100 00
".....	22. B.	".....	100 00
".....	23. B.	".....	100 00
".....	24. B.	".....	100 00
November 25, 1861.....	25. B.	Matt. J. Haden.....	100 00
".....	26. B.	".....	100 00
".....	27. B.	".....	100 00
".....	28. B.	".....	100 00
".....	29. B.	".....	100 00
".....	30. B.	".....	100 00
".....	31. B.	".....	100 00
".....	32. B.	".....	100 00
".....	33. B.	".....	100 00
".....	34. B.	".....	100 00
".....	35. B.	".....	100 00
".....	36. B.	".....	100 00
".....	37. B.	".....	100 00
".....	38. B.	".....	100 00
".....	39. B.	".....	100 00
".....	40. B.	Adelaide M. Tuttle.....	100 00
".....	41. B.	".....	100 00
".....	42. B.	".....	100 00
November 27, 1861.....	43. B.	Clara Eliza Kellom.....	100 00
".....	44. B.	Harriet N. Kellom.....	100 00
".....	45. B.	".....	100 00
".....	46. B.	".....	100 00
".....	47. B.	".....	100 00
".....	48. B.	Howard Kennedy.....	100 00
".....	49. B.	".....	100 00
".....	50. B.	Joseph Clark.....	100 00
".....	51. B.	".....	100 00
".....	52. B.	".....	100 00
".....	53. B.	".....	100 00
".....	54. B.	".....	100 00
".....	55. B.	".....	100 00
".....	56. B.	".....	100 00
".....	57. B.	".....	100 00
".....	58. B.	".....	100 00
".....	59. B.	".....	100 00
".....	60. B.	".....	100 00
".....	61. B.	".....	100 00
".....	62. B.	".....	100 00
".....	63. B.	".....	100 00
November 28, 1861.....	64. B.	George W. Doane.....	100 00
".....	65. B.	".....	100 00
".....	66. B.	".....	100 00
".....	67. B.	".....	100 00
".....	68. B.	".....	100 00
".....	69. B.	".....	100 00
".....	70. B.	Francis Smith.....	100 00
".....	71. B.	".....	100 00
".....	72. B.	".....	100 00
".....	73. B.	".....	100 00
".....	74. B.	".....	100 00
".....	75. B.	".....	100 00
".....	76. B.	".....	100 00
".....	77. B.	".....	100 00
".....	78. B.	".....	100 00

Carried forward..... \$18,800 00

BONDS—Continued.

Date.	Number.	To whom issued.	Amount.
		Brought forward.....	\$18,800 00
November 28, 1861.....	79. B.	Francis Smith.....	100 00
November 30, 1862.....	80. B.	".....	100 00
".....	81. B.	".....	100 00
".....	82. B.	".....	100 00
".....	83. B.	".....	100 00
".....	84. B.	".....	100 00
".....	85. B.	".....	100 00
January 17, 1862.....	86. B.	Otoe county.....	100 00
".....	87. B.	".....	100 00
".....	88. B.	".....	100 00
".....	89. B.	".....	100 00
".....	90. B.	".....	100 00
".....	91. B.	".....	100 00
May 1st, 1862.....	92. B.	John H. Kellom.....	100 00
".....	93. B.	".....	100 00
".....	94. B.	".....	100 00
".....	95. B.	".....	100 00
".....	96. B.	".....	100 00
".....	97. B.	Alfred Conkling.....	100 00
July 1, 1862.....	98. B.	Otoe county.....	100 00
August 20, 1862.....	99. B.	Walter M. Conkey.....	100 00
".....	100. B.	".....	100 00
".....	101. B.	".....	100 00
".....	102. B.	".....	100 00
November 1, 1862.....	103. B.	Alfred Conkling.....	100 00
".....	104. B.	".....	100 00
".....	105. B.	".....	100 00
".....	106. B.	".....	100 00
".....	107. B.	John J. Monell.....	100 00
".....	108. B.	".....	100 00
".....	109. B.	".....	100 00
".....	110. B.	".....	100 00
".....	111. B.	".....	100 00
".....	112. B.	".....	100 00
".....	113. B.	".....	100 00
".....	114. B.	".....	100 00
".....	115. B.	".....	100 00
".....	116. B.	".....	100 00
".....	117. B.	".....	100 00
".....	118. B.	".....	100 00
".....	119. B.	".....	100 00
".....	120. B.	".....	100 00
".....	121. B.	".....	100 00
".....	122. B.	".....	100 00
".....	123. B.	".....	100 00
".....	124. B.	".....	100 00
".....	125. B.	".....	100 00
".....	126. B.	".....	100 00
".....	127. B.	Nathaniel B. Smith.....	100 00
".....	128. B.	".....	100 00
".....	129. B.	".....	100 00
".....	130. B.	".....	100 00
".....	131. B.	".....	100 00
".....	132. B.	".....	100 00
".....	133. B.	".....	100 00
".....	134. B.	".....	100 00
".....	135. B.	".....	100 00
".....	136. B.	".....	100 00
		Carried forward.....	\$24,600 00

MONDAY, FEBRUARY 15, 1864.

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BONDS—Continued.

Date.	Number.	To whom issued.	Amount.
		Brought forward.....	\$24,500 00
November 1, 1862.	137. B.	Nathaniel B. Smith.....	100 00
"	138. B.	".....	100 00
"	139. B.	".....	100 00
"	140. B.	".....	100 00
"	141. B.	".....	100 00
"	142. B.	".....	100 00
"	143. B.	".....	100 00
"	144. B.	".....	100 00
"	145. B.	".....	100 00
"	146. B.	".....	100 00
"	147. B.	Gilbert C. Monell.....	100 00
"	148. B.	".....	100 00
"	149. B.	".....	100 00
"	150. B.	".....	100 00
November 21, 1862.	151. B.	James G. Chapman.....	100 00
"	152. B.	".....	100 00
"	153. B.	".....	100 00
"	154. B.	".....	100 00
"	155. B.	".....	100 00
"	156. B.	".....	100 00
"	157. B.	".....	100 00
"	158. B.	".....	100 00
"	159. B.	".....	100 00
"	160. B.	".....	100 00
"	161. B.	".....	100 00
"	162. B.	".....	100 00
"	163. B.	".....	100 00
"	164. B.	".....	100 00
"	165. B.	Sardius Brewster.....	100 00
"	166. B.	".....	100 00
"	167. B.	".....	100 00
November 29, 1862.	168. B.	Francis Smith.....	100 00
"	169. B.	".....	100 00
"	170. B.	O. D. Richardson.....	100 00
"	171. B.	".....	100 00
"	172. B.	".....	100 00
"	173. B.	".....	100 00
"	174. B.	".....	100 00
"	175. B.	".....	100 00
"	176. B.	Gilbert C. Monell.....	100 00
"	177. B.	".....	100 00
"	178. B.	O. D. Richardson.....	100 00
"	179. B.	John McCormick.....	100 00
"	180. B.	".....	100 00
"	181. B.	".....	100 00
August 29, 1861.	1. C.	Eleazer Wakely.....	50 00
"	2. C.	".....	50 00
"	3. C.	".....	50 00
"	4. C.	".....	50 00
"	5. C.	".....	50 00
"	6. C.	".....	50 00
"	7. C.	".....	50 00
"	8. C.	".....	50 00
September 16, 1861.	9. C.	Jessie A. Redfield.....	50 00
"	10. C.	".....	50 00
"	11. C.	".....	50 00
"	12. C.	".....	50 00
"	13. C.	".....	50 00
		Carried forward.....	\$27,750 00

MONDAY, FEBRUARY 15, 1864.

BONDS—Continued.

Date.	Number.	To whom issued.	Amount.
		Brought forward.....	\$29,750 00
September 16, 1861.....	14. C.	Jessie A. Redfield.....	50 00
November 20, 1861.....	15. C.	Mrs. Priscilla Waterbury.....	50 00
".....	16. C.	George W. Doane.....	50 00
November 22, 1861.....	17. C.	Alfred Conkling.....	50 00
".....	18. C.	".....	50 00
".....	19. C.	".....	50 00
".....	20. C.	".....	50 00
".....	21. C.	".....	50 00
".....	22. C.	".....	50 00
".....	23. C.	".....	50 00
".....	24. C.	".....	50 00
November 25, 1861.....	25. C.	Adelaide M. Tuttle.....	50 00
November 27, 1861.....	26. C.	Howard Kennedy.....	50 00
".....	27. C.	John Campbell.....	50 00
".....	28. C.	".....	50 00
".....	29. C.	".....	50 00
".....	30. C.	".....	50 00
".....	31. C.	".....	50 00
".....	32. C.	".....	50 00
November 28, 1861.....	33. C.	George W. Doane.....	50 00
".....	34. C.	".....	50 00
".....	35. C.	".....	50 00
".....	36. C.	".....	50 00
".....	37. C.	".....	50 00
".....	38. C.	".....	50 00
".....	39. C.	".....	50 00
".....	40. C.	".....	50 00
".....	41. C.	".....	50 00
".....	42. C.	".....	50 00
".....	43. C.	".....	50 00
".....	44. C.	".....	50 00
".....	45. C.	Francis Smith.....	50 00
".....	46. C.	".....	50 00
".....	47. C.	".....	50 00
".....	48. C.	".....	50 00
".....	49. C.	".....	50 00
".....	50. C.	".....	50 00
".....	51. C.	".....	50 00
".....	52. C.	".....	50 00
".....	53. C.	".....	50 00
November 30, 1861.....	54. C.	S. B. Woolworth, Jr.....	50 00
".....	55. C.	".....	50 00
".....	56. C.	George W. Doane.....	50 00
January 17, 1862.....	57. C.	Otoe County.....	50 00
".....	58. C.	".....	50 00
".....	59. C.	".....	50 00
".....	60. C.	".....	50 00
".....	61. C.	".....	50 00
".....	62. C.	".....	50 00
".....	63. C.	".....	50 00
".....	64. C.	".....	50 00
".....	65. C.	".....	50 00
".....	66. C.	".....	50 00
February 1, 1862.....	67. C.	Job W. Damon.....	50 00
".....	68. C.	".....	50 00
May 1, 1862.....	69. C.	John H. Kellom.....	50 00
".....	70. C.	Alfred Conkling.....	50 00
".....	71. C.	".....	50 00
		Carried forward.....	\$32,650 00

BONDS—Continued.

Date.	Number.	To whom issued.	Amount.
		Brought forward.....	\$32,650 00
July 1, 1862.	72. C.	Otoe county.....	50 00
August 20, 1862.	73. C.	Walter M. Conkey.....	50 00
November 1, 1862.	74. C.	Alfred Conkling.....	50 00
November 18, 1862.	75. C.	George W. Doane.....	50 00
"	76. C.	"	50 00
"	77. C.	"	50 00
November 29, 1862.	78. C.	Francis Smith.....	50 00
		Total.....	\$33,000 00

STATEMENT NO. 2.

TERRITORIAL WARRANTS BONDED.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal-ances.	Balances out-standing.	Nos. of Bonds.
Jan. 17, 1857.	108	Isaac L. Gibbs.....	\$350 00	\$158 76	\$500 00	\$8 76	.....	1. A.
Feb. 1, 1859..	95	R. C. Jordan.....	225 00	58 00	283 00	.....	.....	2. A.
July 25, 1859.	164	J. C. Reeves.....	200 00	37 45	217 00	20 45	.....	"
Jan. 3, 1859..	96	E. G. McNeely.....	335 00	87 37	422 37	.....	.....	3. A.
April 29, 1857.	124	W. B. Dayton.....	54 00	23 43	77 43	.....	.....	"
July 25, 1859.	164	Balance.....	.....	.....	20	20 25	.....	"
"	162	J. C. Reeves.....	200 00	41 88	241 88	.....	.....	4. A.
"	163	".....	200 00	41 88	241 88	.....	.....	"
June 8, 1858..	33	C. McDonald.....	20 00	6 45	16 24	10 21	.....	"
July 25, 1859.	161	J. C. Reeves.....	200 00	41 88	100 00	141 88	.....	1. B.
"	161	Balance.....	.....	.....	100 00	41 88	.....	2. B.
Mar. 24, 1858.	205	A. J. Burke.....	120 00	40 46	100 00	60 46	.....	3. B.
July 25, 1859.	161	Balance.....	.....	.....	41 88	.....	.....	4. B.
Mar. 24, 1858.	205	".....	.....	.....	58 12	2 34	.....	"
April 29, 1857	126	W. W. Hackney....	50 00	21 66	71 66	.....	.....	5. B.
"	129	H. C. Anderson....	20 00	8 63	28 34	29	.....	"
Dec. 31, 1858.	92	J. A. Steinberger..	90 00	23 83	100 00	13 83	.....	6. B.
June 8, 1858..	32	C. McDonald.....	20 00	6 45	26 45	.....	.....	7. B.
Mar. 24, 1858.	185	W. W. Wyman.....	50 00	17 31	67 31	.....	.....	"
June 5, 1858..	25	O. Harrington.....	30 00	9 50	6 24	33 46	.....	"
Jan. 17, 1857.	108	Balance.....	.....	.....	8 76	.....	.....	8. B.
July 25, 1859.	164	".....	.....	.....	20 25	.....	.....	"
June 8, 1858..	33	".....	.....	.....	10 21	.....	.....	"
Mar. 24, 1858.	205	".....	.....	.....	2 34	.....	.....	"
April 29, 1857	129	".....	.....	.....	29	.....	.....	"
Dec. 31, 1858.	92	".....	.....	.....	13 83	.....	.....	"
June 5, 1858..	25	".....	.....	.....	33 46	.....	.....	"
June 15, 1858.	38	Olney Harrington..	25 00	8 63	10 86	22 77	.....	"
Jan. 2, 1857..	99	H. C. Anderson....	100 00	40 14	100 00	40 14	.....	9. B.
May 9, 1857..	141	E. Estabrook.....	50 00	21 52	71 52	.....	.....	10. B.
Jan. 2, 1857..	99	Balance.....	.....	.....	23 48	11 66	.....	"
Dec. 12, 1856.	91	Wm. McLennan....	50 00	18 29	50 00	18 29	.....	1. C.
June 15, 1858.	38	Balance.....	.....	.....	22 77	.....	.....	2. C.
Jan. 2, 1857..	99	".....	.....	.....	11 66	.....	.....	"
Dec. 12, 1856.	91	".....	.....	.....	15 57	2 72	.....	"
June 15, 1858.	39	O. Harrington.....	20 00	6 40	26 40	.....	.....	3. C.
Jan. 1, 1859..	94	J. A. Steinberger..	21 00	5 55	23 60	2 95	.....	"
June 7, 1856..	56	J. H. Smith.....	40 41	17 43	50 00	7 84	.....	4. C.
June 5, 1858..	3	O. Harrington.....	50 00	16 49	50 00	16 49	.....	5. C.
"	4	".....	50 00	16 49	50 00	16 49	.....	6. C.
"	26	".....	50 00	16 49	50 00	16 49	.....	7. C.
Dec. 12, 1856.	91	Balance.....	.....	.....	2 72	.....	.....	8. C.
Jan. 1, 1859..	94	".....	.....	.....	2 95	.....	.....	"
June 7, 1856..	56	".....	.....	.....	7 84	.....	.....	"
June 5, 1858..	3	".....	.....	.....	16 49	.....	.....	"
Carried forward.....			\$2,620 00	\$792 57	\$3,380 00			

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Balances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$2,620 00	\$792 57	\$3,380 00			
June 5, 1858..	4	Balance.....			16 49			8. C.
"	26	"			3 50		\$12 98	"
June 21, 1858.	281	G. W. Doane.....	50 00	16 25	50 00	16 25		9. C.
Mar. 30, 1860.	932	J. G. Chapman....	60 00	8 77	50 00	18 77		10. C.
June 21, 1858.	281	Balance.....			5 77	10 48		11. C.
Jan. 12, 1860.	529	J. E. Doty.....	20 00	3 32	23 32			"
"	524	"	20 00	3 32	20 91	2 41		"
Mar. 30, 1860.	932	Balance.....			18 77			12. C.
Jan. 12, 1860.	524	"			2 41			"
April 16, 1861	1819	S. M. Curran.....	25 00	1 03	26 03			"
Jan. 28, 1860.	798	Megrath R. & Co...	12 15	1 91	2 79	11 27		"
Feb. 13, 1860.	828	W. E. Harvey.....	41 60	6 58	38 73	9 45		13. C.
Jan. 28, 1860.	798	Balance.....			11 27			"
Feb. 13, 1860.	828	"			9 45			14. C.
Feb. 17, 1860.	833	Megrath R. & Co...	20 00	3 17	23 17			"
June 21, 1858.	281	Balance.....			10 48			"
Dec. 4, 1860..	1500	R. C. Jordan.....	20 00	1 66	6 90		14 76	"
Sept 27, 1857.	8	J. H. Kellom.....	500 00	155 27	500 00	155 27		6. A.
"	8	Balance.....			100 00	55 27		13. B.
"	8	"			50 00		5 27	15. C.
April 29, 1857	121	J. W. Hurlburt....	50 00	22 77	72 00			11. B.
Oct. 24, 1860.	1406	Robertson & Clark	20 00	1 77	21 77			"
Oct. 25, 1860.	1408	R. C. Jordan.....	15 00	1 60	5 46	11 14		"
April 29, 1857.	128	H. C. Anderson....	50 00	22 70	72 70			12. B.
Oct. 24, 1860.	1405	Robertson & Clark	20 00	1 77	21 77			"
Oct. 25, 1860.	408	Balance.....			5 53		5 61	"
June 21, 1858.	267	G. W. Doane.....	25 00	8 54	33 54			14. B.
"	268	"	25 00	8 54	38 54			"
"	269	"	25 00	8 54	32 92		62	"
"	270	"	25 00	8 54	33 54			16. C.
"	271	"	25 00	8 54	16 46	17 08		"
Jan. 14, 1860.	566	James Burns.....	180 00	33 20	213 20			7. A.
Jan. 16, 1860.	598	A. D. Luce.....	102 62	18 92	121 54			"
July 12, 1858.	283	J. C. Chapman....	100 00	33 61	133 61			"
"	286	"	100 00	33 61	31 65	101 96		"
"	286	Balance.....			101 96			8. A.
August 5, 1859	177	J. H. Kellom.....	100 00	22 97	122 97			"
Jan. 2, 1857..	104	W. W. Wyman....	100 00	47 72	147 72			"
Oct. 13, 1859.	192	G. W. Doane.....	100 00	20 94	120 94			"
April 12, 1859	120	J. H. Kellom.....	100 00	26 11	6 41	119 70		"
"	120	Balance.....			119 70			9. A.
Jan. 13, 1860.	676	B. B. Thompson....	100 00	18 36	118 36			"
"	677	"	100 00	18 36	118 36			"
Jan. 21, 1860.	668	J. D. N. Thompson	100 00	18 36	118 36			"
"	667	"	100 00	18 36	25 22	93 14		"
"	667	Balance.....			93 14			10. A.
"	669	J. D. N. Thompson	100 00	18 36	118 36			"
"	675	B. B. Thompson....	100 00	18 36	118 36			"
Jan. 14, 1860.	590	John Larzen.....	100 00	18 44	118 44			"
Jan. 19, 1860.	663	J. G. Chapman....	86 75	15 83	51 70	50 88		"
"	663	Balance.....			50 88			11. A.
Jan. 12, 1860.	520	J. C. Hileman.....	76 05	14 02	90 07			"
Jan. 23, 1860.	698	G. W. Doane.....	70 00	12 81	82 81			"
Jan. 14, 1860.	701	Andrew Hopkins...	63 75	11 65	75 40			"
Oct. 20, 1859.	213	O. C. Burnam.....	63 85	13 03	76 68			"
Jan. 20, 1860.	665	R. Furgeson.....	54 25	9 89	64 14			"
Carried forward.....			\$5,666 23	\$1,530 07	\$7,139 98		\$39 24	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Balances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$5,666 23	\$1,530 07	\$7,139 98		\$39 24	
Jan. 20, 1860.	666	Wm. Cook.....	54 25	9 89	60 02	4 12		11. A.
"	666	Balance.....			4 12			12. A.
Jan. 13, 1860.	534	L. A. Driscoll.....	50 00	9 29	59 29			"
Aug. 26, 1858.	3	J. S. Morton.....	52 00	16 56	68 56			"
Jan. 13, 1860.	535	L. A. Driscoll.....	50 00	9 29	59 29			"
Jan. 14, 1860.	569	W. S. Walker.....	50 00	9 27	59 27			"
"	568	".....	50 00	9 27	59 27			"
"	570	".....	50 00	9 27	59 27			"
"	671	".....	50 00	9 27	59 27			"
Jan. 18, 1860.	609	Geo. Claves.....	50 00	9 12	59 12			"
"	610	".....	50 00	9 12	12 54	46 58		"
"	610	Balance.....			46 58			5. B.
"	611	Geo. Claves.....	50 00	9 12	53 42	5 70		"
"	611	Balance.....			5 70			16. B.
"	612	Geo. Claves.....	50 00	9 12	59 12			"
Jan. 24, 1860.	702	Andrew Hopkins ..	50 00	9 13	35 18	23 95		"
"	702	Balance.....			23 95			17. B.
"	703	Andrew Hopkins...	50 00	9 13	59 13			"
Feb. 16, 1860.	830	J. C. Hileman.....	50 00	8 70	16 92	41 78		"
"	830	Balance.....			41 77			18. B.
Jan. 19, 1860.	630	J. G. Chapman.....	58 00	9 20	58 22	98		"
"	630	Balance.....			98			19. B.
Jan. 28, 1860.	799	P. G. Peterson.....	48 00	8 72	56 72			"
Feb. 16, 1860.	829	Robert Fergeson...	49 00	8 53	43 30	15 23		"
"	829	Balance.....			15 23			20. B.
April 29, 1857	123	John W. Hulbert...	38 00	17 33	55 33			"
Jan. 13, 1860.	536	Louis A. Driskoll..	30 00	5 57	29 44	6 13		"
"	536	Balance.....			6 13			21. B.
Jan. 18, 1860.	614	George Claves.....	25 00	4 56	29 56			"
Jan. 21, 1860.	671	J. D. N. Thompson	25 00	4 58	29 58			"
Aug. 26, 1858.	2	J. M. Rees.	25 00	7 97	32 97			"
Jan. 14, 1860.	572	John Howard.....	25 00	4 61	1 76	27 85		"
"	572	Balance.....			27 85			22. B.
Dec. 13, 1859.	393	U. C. Johnson.....	20 00	3 88	23 88			"
"	394	".....	20 00	3 88	23 88			"
"	395	".....	20 00	3 88	23 88			"
Jan. 14, 1860.	577	O. C. Burnam.....	20 00	3 68	51	23 17		"
"	577	Balance.....			23 17			23. B.
"	578	O. C. Burnam.....	20 00	3 68	23 68			"
"	579	".....	20 00	3 68	23 68			"
"	580	".....	20 00	3 68	23 68			"
"	581	".....	20 00	3 68	5 79	17 89		"
"	581	Balance.....			17 80			24. B.
"	582	O. C. Burnam.....	20 00	3 68	23 68			"
"	583	".....	20 00	3 68	23 68			"
"	584	".....	20 00	3 68	23 68			"
Jan. 17, 1860.	606	Harford & Bro.	14 93	2 72	11 07	6 58		"
"	606	Balance.....			6 58			17. C.
Dec. 31, 1859.	445	J. C. Hileman.....	13 00	2 47	15 47			"
"	452	Emma E. Graves...	12 00	2 27	14 27			"
"	447	".....	10 00	1 89	11 89			"
"	450	".....	10 00	1 89	1 79	10 10		"
"	450	Balance.....			10 10			18. C.
Jan. 18, 1860.	617	George Claves.....	10 00	1 82	11 82			"
Jan. 14, 1860.	585	O. C. Burnam.....	10 00	1 84	11 84			"
"	586	".....	10 00	1 84	11 84			"
Carried forward.....			\$7,047 41	\$1,805 61	\$8,794 70		\$39 24	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Balances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$7,047 41	\$1,805 61	\$8,794 70		\$89 24	
Jan. 14, 1860.	576	S. C. Johnson.....	10 00	1 84	4 40	\$7 44		18. C.
"	576	Balance.....			7 44			19. C.
Jan. 13, 1860.	537	L. A. Driskoll.....	10 00	1 85	11 85			"
"	538	".....	10 00	1 85	11 85			"
"	539	".....	10 00	1 85	11 85			"
Jan. 11, 1860.	506	R. C. Jordan.....	10 00	1 86	7 01	4 85		"
"	506	Balance.....			4 85			20. C.
"	507	R. C. Jordan.....	10 00	1 86	11 86			"
"	508	".....	10 00	1 86	11 86			"
"	509	".....	10 00	1 86	11 86			"
"	510	".....	10 00	1 86	9 57	2 29		"
"	510	Balance.....			2 29			21. C.
Dec. 13, 1859.	401	U. C. Johnson.....	10 00	1 94	11 94			"
"	402	".....	10 00	1 94	11 94			"
"	404	".....	10 00	1 94	11 94			"
"	405	".....	10 00	1 94	11 89	05		"
"	405	Balance.....			05			22. C.
Jan. 14, 1860.	549	J. J. Graves.....	10 00	1 85	11 85			"
"	550	".....	10 00	1 85	11 85			"
"	551	".....	10 00	1 85	11 85			"
"	552	".....	10 00	1 85	11 85			"
"	553	".....	10 00	1 85	2 55	9 30		"
"	553	Balance.....			9 30			23. C.
"	556	J. J. Graves.....	10 00	1 85	11 85			"
"	557	".....	10 00	1 85	11 85			"
"	558	".....	10 00	1 85	11 85			"
Jan. 11, 1860.	512	R. C. Jordan.....	6 05	1 12	5 15	2 02		"
"	512	Balance.....			2 02			24. C.
Jan. 13, 1860.	619	George Clayes.....	7 35	1 33	8 68			"
"	540	L. A. Driskoll.....	5 00	92	5 92			"
"	540	".....	5 00	92	5 92			"
"	542	".....	5 00	92	5 92			"
"	543	".....	5 00	92	5 92			"
"	548	Alex. Burke.....	5 00	92	5 92			"
Jan. 14, 1860.	589	O. C. Burnam.....	5 00	92	5 92			"
Feb. 3, 1860..	813	R. C. Jordan.....	11 18		3 78		7 40	"
Sept. 29, 1858	10	J. C. Reeves.....	515 92	162 65	100 00	578 57		25. B.
"	10	Balance.....			100 00	478 57		26. B.
"	10	".....			100 00	378 57		27. B.
"	10	".....			100 00	278 57		28. B.
"	10	".....			100 00	178 57		29. B.
"	10	".....			100 00	78 57		30. B.
"	10	".....			78 57			31. B.
Dec. 14, 1858.	85	J. D. N. Thompson	18 75	5 52	21 43	2 84		"
"	85	Balance.....			2 84			32. B.
Dec. 3, 1860..	79	S. M. Curran.....	370 00	110 17	97 16	388 01		"
"	79	Balance.....			100 00	283 01		33. B.
"	79	".....			100 00	183 01		34. B.
"	79	".....			100 00	83 01		35. B.
"	79	".....			83 01			36. B.
Aug. 8, 1857..	156	H. A. Copeland.....	27 00	11 60	16 99	21 61		"
"	156	Balance.....			21 61			37. B.
Sep. 26, 1857.	167	C. B. Smith.....	175 00	74 61	78 39	171 22		"
"	166	Balance.....			100 00	71 22		38. B.
"	167	".....			71 22			39. B.
Aug. 14, 1856.	71	D. L. McGary.....	40 50	19 24	28 78		30 96	"
Carried forward.....			\$8,459 16	\$2,215 52	\$10,600 00		\$77 60	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal- ances.	Balances out- standing.	No. of Fonds.
		Brought forward.	\$8,459 16	\$2,215 52	\$10,600 00		\$77 60	
April 1, 1857.	119	W. F. Ward.....	240 00	83 42	100 00	223 42		40. B.
"	119	Balance.....			100 00	123 42		41. B.
"	119	".....			100 00	23 42		42. B.
"	119	".....			23 42			25. C.
Sept. 24, 1860	1302	J. G. Chapman....	50 00	5 84	26 58		29 26	"
April 24, 1857	131	B. P. Rankin	50 00	22 85	72 85			43. B.
"	134	".....	50 00	22 85	27 15	45 70		"
"	134	Balance.....			45 70			44. B.
April 12, 1859	118	J. H. Kellom.....	100 00	26 24	54 30	71 94		"
"	118	Balance.....			71 94			45. B.
Nov. 14, 1859.	334	J. H. Kellom.....	200 00	40 72	28 06	212 66		"
"	334	Balance.....			100 00	112 66		46. B.
"	334	".....			100 00	12 66		47. B.
"	335	J. H. Kellom.....	200 00	40 72	100 00	150 72		48. B.
"	335	Balance.....			100 00	40 72		49. B.
"	325	".....			4 72			26. C.
"	334	".....			9 28		3 38	"
May 13, 1860.	1062	Stevens & Welch..	10 00	1 48	11 48			50. B.
May 31, 1860.	1071	".....	10 00	1 48	11 44			"
"	1084	".....	10 00	1 48	11 48			"
"	1085	".....	10 00	1 48	11 48			"
"	1086	".....	10 00	1 48	11 48			"
"	1087	".....	10 00	1 48	11 48			"
"	1088	".....	10 00	1 48	11 48			"
"	1089	".....	10 00	1 48	11 48			"
"	1090	".....	10 00	1 48	8 20	3 28		"
"	1091	".....	10 00	1 48	11 48			51. B.
"	1092	".....	10 00	1 48	11 48			"
"	1093	".....	10 00	1 48	11 48			"
"	1094	".....	10 00	1 48	11 48			"
"	1095	".....	10 00	1 48	11 48			"
"	1096	".....	10 00	1 48	11 48			"
"	1097	".....	10 00	1 48	11 48			"
"	1098	".....	10 00	1 48	11 48			"
"	1099	".....	10 00	1 48	8 16	3 32		"
"	1100	".....	10 00	1 48	11 48			52. B.
"	1101	".....	10 00	1 48	11 48			"
"	1102	".....	10 00	1 48	11 48			"
"	1103	".....	10 00	1 48	11 48			"
"	1104	".....	10 00	1 48	11 48			"
"	1105	".....	10 00	1 48	11 48			"
"	1106	".....	10 00	1 48	11 48			"
"	1107	".....	10 00	1 48	11 48			"
"	1108	".....	10 00	1 48	8 16	3 32		"
"	1109	".....	10 00	1 48	11 48			53. B.
"	1110	".....	10 00	1 48	11 48			"
"	1113	".....	10 00	1 48	11 48			"
"	1114	".....	10 00	1 48	11 48			"
"	1115	".....	10 00	1 48	11 48			"
"	1116	".....	10 00	1 48	11 48			"
"	1117	".....	10 00	1 48	1 48			"
"	1118	".....	10 00	1 48	11 48			"
"	1119	".....	10 00	1 48	8 16	3 32		"
"	1120	".....	10 00	1 48	11 48			54. B.
"	1121	".....	10 00	1 48	11 48			"
"	1122	".....	10 00	1 48	11 48			"
Carried forward.....			\$9,739 16	\$2,535 84	\$12,124 44		\$110 24	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal- ances.	Balances out- standing.	Nos. of Bonds.
		Brought forward.	\$9,739 16	\$2,535 84	\$12,134 44		\$110 24	
May 31, 1860.	1124	Stevens & Welch..	10 00	1 48	11 48	.....	.....	54. B.
"	1125	"	10 00	1 48	11 48	.....	.....	"
"	1126	"	10 00	1 48	11 48	.....	.....	"
"	1151	"	10 00	1 48	11 48	.....	.....	"
"	1127	"	5 00	74	5 74	.....	.....	"
"	1128	"	5 00	74	5 74	.....	.....	"
"	1129	"	5 00	74	5 74	.....	.....	"
"	1130	"	5 00	74	2 42	3 32	.....	"
"	1131	"	5 00	74	5 74	.....	.....	55. B.
"	1132	"	5 00	74	5 74	.....	.....	"
"	1133	"	5 00	74	5 74	.....	.....	"
"	1134	"	5 00	74	5 74	.....	.....	"
"	1135	"	5 00	74	5 74	.....	.....	"
"	1136	"	5 00	74	5 74	.....	.....	"
"	1137	"	5 00	74	5 74	.....	.....	"
"	1138	"	5 00	74	5 74	.....	.....	"
"	1140	"	5 00	74	5 74	.....	.....	"
"	1141	"	5 00	74	5 74	.....	.....	"
"	1142	"	5 00	74	5 74	.....	.....	"
"	1143	"	5 00	74	5 74	.....	.....	"
"	1144	"	5 00	74	5 74	.....	.....	"
"	1145	"	5 00	74	5 74	.....	.....	"
"	1146	"	5 00	74	5 74	.....	.....	"
May 29, 1860.	1045	R. C. Jordan.....	20 00	2 98	13 90	9 08	.....	"
"	1046	"	13 00	1 94	14 94	.....	.....	56. B.
"	1047	"	7 02	1 04	8 04	.....	.....	"
May 31, 1860.	1066	Stevens & Welch..	10 00	1 44	11 44	.....	.....	"
"	1069	"	10 00	1 44	11 44	.....	.....	"
"	1070	"	10 00	1 44	11 44	.....	.....	"
"	1072	"	10 00	1 44	11 44	.....	.....	"
"	1073	"	10 00	1 44	11 44	.....	.....	"
"	1075	"	10 00	1 44	11 44	.....	.....	"
"	1076	"	10 00	1 44	8 38	3 06	.....	"
"	1077	"	10 00	1 44	11 44	.....	.....	57. B.
"	1078	"	10 00	1 44	11 44	.....	.....	"
"	1079	"	10 00	1 44	11 44	.....	.....	"
"	1080	"	10 00	1 44	11 44	.....	.....	"
"	1081	"	10 00	1 44	11 44	.....	.....	"
"	1082	"	10 00	1 44	11 44	.....	.....	"
June 16, 1860.	1167	R. C. Jordan.....	10 00	1 44	11 44	.....	.....	"
"	1168	"	5 00	72	5 72	.....	.....	"
"	1169	"	25 00	3 60	14 20	14 40	.....	"
"	1166	"	10 00	1 44	11 44	.....	.....	58. B.
Oct. 10, 1860.	1391	"	8 61	95	9 56	.....	.....	"
Jan. 10, 1860.	643	J. G. Chapman	50 00	9 27	59 27	.....	.....	"
Jan. 10, 1860.	482	Wm. McLennan....	50 00	9 38	19 78	39 65	.....	"
"	1090	Balance .....	.....	.....	3 28	.....	.....	59. B.
"	1099	" .....	.....	.....	3 32	.....	.....	"
"	1108	" .....	.....	.....	3 32	.....	.....	"
"	1119	" .....	.....	.....	3 32	.....	.....	"
"	1130	" .....	.....	.....	3 82	.....	.....	"
"	1045	" .....	.....	.....	9 08	.....	.....	"
"	1076	" .....	.....	.....	3 06	.....	.....	"
"	1169	" .....	.....	.....	14 40	.....	.....	"
"	482	" .....	.....	.....	89 65	.....	.....	"
"	485	Wm. McLennan....	50 00	8 38	17 25	41 13	.....	"
Carried forward.....			\$10,252 77	\$2,795 68	\$12,697 00		\$110 24	

MONDAY, FEBRUARY 15, 1864.

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal-ances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$10,252 77	\$2,795 68	\$12,697 00		\$110 24	
Jan. 10, 1860.	490	Wm. McLennan ...	100 00	18 76	100 00	18 76		60. B.
"	494	"	100 00	18 76	100 00	18 76		61. B.
"	496	"	100 00	18 76	100 00	18 76		62. B.
"	485	Balance....			41 13			63. B.
"	490	"			18 76			"
"	494	"			18 76			"
"	496	"			18 76			"
"	1049	"			2 59		55	"
June 7, 1859..	143	Byron Reed.	50 00	12 31	50 00	12 31		27. C.
"	144	"	50 00	12 31	50 00	12 31		28. C.
"	145	"	50 00	12 31	50 00	12 31		29. C.
"	146	"	50 00	12 31	50 00	12 31		30. C.
"	143	Balance....			12 31			31. C.
"	144	"			12 31			"
"	145	"			12 31			"
"	146	"			12 31			"
Jan. 26, 1860.	734	J. L. Sharp.....	5 00	91	79	5 15		"
"	734	Balance....			5 15			32. C.
April 28, 1860.	1000	J. Campbell.....	8 00	1 26	9 26			"
Oct. 10, 1860.	1384	W. W. Wyman....	25 00	2 82	27 82			"
Jan. 26, 1860.	737	J. L. Sharp.....	5 00	91	5 91			"
Jan. 29, 1860.	1049	R. C. Jordan....	5 00		1 86	3 14		"
Jan. 11, 1860.	103	G. W. Doane.....	400 00	115 12	500 00	15 12		13. A.
Dec. 17, 1860.	1565	"	100 00	9 47	100 00	9 47		64. B.
"	1564	"	97 60	9 24	100 00	6 84		65. B.
Oct. 13, 1859.	191	"	400 00	84 44	100 00	384 44		66. B.
"		Balance....			100 00	284 44		67. B.
"		"			100 00	184 44		68. B.
"		"			100 00	84 44		69. B.
"		"			50 00	84 44		33. C.
"	103	"			15 12			34. C.
"	1565	"			9 47			"
"	1564	"			6 84			"
"	191	"			18 57	15 87		"
"	191	"			15 87			35. C.
June 21, 1858.	272	G. W. Doane.....	25 00	8 58	55	33 03		"
"	262	"	25 00	8 58	33 58			"
"	272	Balance....			33 03			36. C.
"	276	G. W. Doane.....	50 00	17 16	16 97	50 19		"
"	277	"	50 00	17 16	50 00	17 16		37. C.
"	279	"	50 00	17 16	50 00	17 16		38. C.
"	276	Balance....			16 61	33 58		39. C.
"	277	"			17 16			"
"	279	"			16 23		93	"
"	193	G. W. Doane.....	226 50	47 81	50 00	224 31		40. C.
"		Balance....			50 00	174 31		41. C.
"		"			50 00	124 31		42. C.
"		"			50 00	74 31		43. C.
"		"			50 00			44. C.
Dec. 3, 1858..	76	J. G. Chapman	500 00	149 30	500 00	149 30		14. A.
"	76	Balance....			100 00	49 30		70. B.
July 21, 1858.	294	S. M. Curran.....	100 00	33 49	100 00	33 49		71. B.
July 12, 1858.	288	J. G. Chapman....	100 00	33 77	100 00	33 77		72. B.
"	76	Balance....			49 30			73. B.
"	288	"			17 21	16 56		"
"	294	"			33 49			"
Carried forward.....			\$12,924 87	\$3,278 38	\$16,000 00		\$111 72	

MONDAY, FEBRUARY 15, 1864.

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WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal-ances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$12,924 87	\$3,278 88	\$16,000 00		\$111 72	
July 12, 1858.	284	J. G. Chapman.....	100 00	83 37	100 00	33 77		74. B.
May 30, 1857.	149	Jonas Seely.....	100 00	44 52	100 00	44 52		75. B.
July 12, 1858.	288	Balance.....			16 56			76. B.
"	284	".....			33 77			"
"	149	".....			44 52			"
April 22, 1857.	161	George Hepburn....	125 00	40 31	5 15	160 16		" A
"	161	Balance.....			100 00	60 16		77. B.
Nov. 16, 1858.	71	H. Crowell.....	80 00	24 06	100 00	4 06		78. B.
"	161	Balance.....			60 16			79. B.
"	71	".....			4 06			"
April 12, 1857.	116	J. H. Kellom.....	64 00	16 81	85 78	45 03		"
Sept. 26, 1860.	1835	U. C. Johnson.....	50 00	5 74	50 00	5 74		45. C.
"	116	Balance.....			45 03			46. C.
"	1835	".....			4 97	77		"
"	1837	U. C. Johnson.....	50 00	5 74	50 00	5 74		47. C.
Oct. 3, 1860...	1874	".....	50 00	5 74	50 00	5 74		48. C.
May 9, 1857..	142	M. Murphy.....	50 00	22 76	50 00	22 76		49. C.
"	1335	Balance.....			77			50. C.
"	1837	".....			5 74			"
"	1874	".....			5 74			"
"	142	".....			22 76			"
June 5, 1858..	1	O. Harrington.....	50 00	17 40	14 99	52 41		"
"	1	Balance.....			50 00	2 41		51. C.
July 19, 1860.	640	J. G. Chapman.....	50 00	9 29	50 00	9 29		52. C.
"	640	Balance.....			9 29			53. C.
"	1	".....			2 41			"
"	639	J. G. Chapman.....	50 00	9 29	38 30		20 99	"
June 16, 1860.	599	C. C. & C. D. Woolworth	29 96	5 58	35 54			54. C.
"	600	".....	9 08	1 71	10 79			"
Oct. 7, 1859...	189	".....	10 00	2 11	3 67	8 44		"
"	189	Balance.....			8 44			55. C.
"	190	C. C. & C. D. Woolworth	25 30	5 34	30 64			"
Mar. 10, 1860.	882	".....	16 40	2 81	10 92		8 29	"
"	271	Balance.....			17 03			56. C.
"	276	".....			32 92		66	"
Nov. 20, 1858.	73	J. G. Chapman.....	99 00	29 97	100 00	28 97		80. B.
"	73	Balance.....			28 97			81. B.
June 21, 1858.	280	G. W. Doane.....	50 00	17 20	67 20			"
July 12, 1858.	285	J. G. Chapman.....	100 00	33 83	3 83	130 00		"
"	285	Balance.....			100 00	30 00		82. B.
"	285	".....			30 00			83. B.
June 21, 1858.	275	G. W. Doane.....	50 00	17 20	67 20			"
Jan. 11, 1859.	104	".....	100 50	29 00	2 80	126 70		"
"	104	Balance.....			100 00	26 70		84. B.
"	104	".....			26 70			85. B.
Dec. 17, 1860.	1566	G. W. Doane.....	100 00	9 49	73 80		36 19	"
Nov. 21, 1861.	2089	J. W. Pearman.....	230 93		230 93			15. A.
Aug. 24, 1857.	162	W. P. Loan.....	174 00	76 41	250 41			"
Dec. 12, 1859.	412	T. Morton.....	20 00		18 66	1 34		"
Aug. 14, 1856.	64	D. L. McGary.....	50 00	24 58	74 58			86. B.
Sept. 24, 1860.	1311	J. G. Chapman.....	25 00	3 26	25 42	2 84		"
Aug. 14, 1856.	66	D. L. McGary.....	50 00		50 00			87. B.
"	70	".....	50 00		50 00			"
Dec. 12, 1856.	85	Wm. McLennan....	50 00	24 58	74 58			88. B.
Aug. 27, 1857.	164	C. W. Pierce.....	10 00		10 00			"
"	412	Balance.....			1 34			"
Carried forward.....			\$14,994 04	\$3,796 88	\$18,585 92		\$177 85	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal-ances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$14,994 04	\$3,796 88	\$18,585 92		\$177 85	
Aug. 27, 1857.	1311	Balance.....			2 84			88. B.
April 2, 1860.	943	Isaac Coe.....	10 00	1 78	11 24	54		"
Jan. 2, 1857..	106	W. W. Wyman....	50 00	24 61	74 61			89. B.
Sept. 24, 1860.	1315	J. G. Chapman....	25 00	3 26	25 39	2 87		"
Nov. 1, 1858..	24	Wm. McLennan....	50 00	15 99	65 99			90. B.
Mar. 30, 1860.	939	J. G. Chapman....	20 00	3 58	23 58			"
April 30, 1860	949	Isaac Coe.....	10 00	1 78	10 43	1 35		"
Jan. 15, 1861.	1671	King & Wood.....	100 00	9 77	100 00	9 77		91. B.
Oct. 3, 1860..	1358	U. C. Johnson.....	10 00	1 28	11 28			57. C.
Nov. 19, 1860.	1487	A. D. Luce.....	8 00	86	8 86			"
April 5, 1861.	1780	M. H. Clark.....	10 00	77	10 77			"
"	1776	".....	10 00	77	10 77			"
"	1777	".....	10 00	77	8 32	2 45		"
Jan. 10, 1860.	475	Wm. McLennan....	50 00	10 06	50 00	10 06		58. C.
"	478	".....	50 00	10 06	50 00	10 06		59. C.
Jan. 8, 1861..	1609	F. Renner.....	60 00	6 13	50 00	16 13		60. C.
Jan. 11, 1861.	1625	J. W. Pearman...	152 53	15 46	50 00	117 99		61. C.
"	1625	Balance.....			50 00	67 99		62. C.
"	1625	".....			50 00	17 99		63. C.
"	943	".....			54			64. C.
"	1315	".....			2 87			"
"	949	".....			1 35			"
"	1671	".....			9 77			"
"	1777	".....			2 45			"
"	475	".....			10 06			"
"	478	".....			10 06			"
"	1609	".....			12 90	3 23		"
"	1625	".....			17 99			65. C.
"	1600	".....			3 23			"
April 5, 1861.	1795	Thomas Morton....	2 20	17	2 37			"
April 10, 1861	1803	J. S. Morton.....	25 60		25 60			"
Sep. 23, 1861.	2003	S. B. Woolworth, jr.	6 50	20	81	5 89		"
"	2003	Balance.....			5 89			66. C.
June 15, 1861.	1920	J. W. Pearman....	79 85	4 68	44 11		40 42	"
Nov. 1, 1861..	2045	W. F. Kiter.....	50 00	1 25	50 00	1 25		67. C.
"	2045	Balance.....			1 25			68. C.
"	2046	W. F. Kiter.....	50 00	1 25	48 75		2 50	"
Jan. 10, 1862.	2222	G. F. Orchard.....	100 00	3 00	100 00	3 00		92. B.
Jan. 15, 1861.	1670	King & Wood.....	100 00	12 58	100 00	12 58		93. B.
Jan. 10, 1862.	2240	W. E. Harvey.....	200 00	6 16	100 00	106 16		94. B.
"	2240	Balance.....			100 00	6 16		95. B.
"	2253	A. S. Paddock.....	100 00	2 19	100 00	2 19		96. B.
July 15, 1861.	1934	Wm. Sexaner.....	20 00	1 58	21 58			69. C.
"	2222	Balance.....			8 00			"
"	1670	".....			12 58			"
"	2240	".....			6 16			"
"	2253	".....			2 19			"
Jan. 28, 1861.	1711	R. C. Jordan.....	4 80	45	4 49		76	"
Jan. 10, 1862.	2257	A. S. Paddock.....	100 00	2 30	100 00	2 30		97. B.
"	2257	Balance.....			2 30			70. C.
May 16, 1860.	1019	J. G. Chapman....	100 00	19 58	47 70	71 88		"
"	1019	Balance.....			50 00		21 88	71. C.
Oct. 15, 1861.	2024	U. C. Johnson.....	20 00		20 00			16. A.
"	2022	".....	20 00		20 00			"
Oct. 14, 1861.	2023	".....	20 00		20 00			"
Nov. 16, 1861.	2080	R. C. Jordan.....	10 00		10 00			"
Carried forward.....			\$16,632 52	\$3,959 10	\$20,320 00		\$243 41	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Balances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$16,632 52	\$8,959 10	\$20,320 00		\$248 41	
Nov. 1, 1861..	2053	S. D. Bangs.....	2 40	.....	2 40	.....	.....	16. A.
Oct. 15, 1861..	2025	U. C. Johnson.....	6 09	.....	6 09	.....	.....	"
Sept. 11, 1861.	1984	"	50 00	4 01	54 01	.....	.....	"
"	1981	"	50 00	4 01	54 01	.....	.....	"
"	1979	"	50 00	4 01	54 01	.....	.....	"
"	1983	"	50 00	4 01	54 01	.....	.....	"
Sept. 23, 1861.	2001	W. E. Harvey.....	25 00	1 93	26 93	.....	.....	"
"	2002	"	25 00	1 93	26 93	.....	.....	"
Jan. 10, 1862.	2132	F Renner.....	25 00	1 18	26 18	.....	.....	"
July 15, 1861.	1985	W. Sexaner.....	20 00	1 92	21 92	.....	.....	"
Aug. 17, 1861.	1969	U. C. Johnson.....	20 08	1 75	21 83	.....	.....	"
Sept. 23, 1861.	2003	N. S. Harding & Co.	22 50	1 74	24 24	.....	.....	"
April 5, 1861.	1794	T. Morton.....	14 00	1 73	15 73	.....	.....	"
Jan. 10, 1862.	2140	F. Renner.....	10 00	47	10 47	.....	.....	"
Sept. 19, 1861.	1987	R. C. Jordan.....	15 00	70	15 70	.....	.....	"
Oct. 5, 1861...	2011	W. E. Harvey.....	5 00	37	5 87	.....	.....	"
July 28, 1860.	1246	A. D. Luce.....	50 00	9 51	10 17	49 84	.....	"
"	1246	Balance.....	.....	.....	49 34	.....	.....	98. B.
Jan. 10, 1860.	480	Wm. McLennan....	50 00	12 35	50 66	11 69	.....	"
"	480	Balance.....	.....	.....	11 69	.....	.....	72. C.
"	484	Wm. McLennan....	50 00	12 35	38 31	.....	24 04	"
Sept. 27, 1856.	75	C. B. Smith	175 00	87 50	100 00	162 50	.....	99. B.
"	75	Balance.....	.....	.....	100 00	.....	.....	100. B.
Mar. 27, 1857.	111	C. B. Smith	25 00	12 50	37 50	.....	.....	101. B.
Sept. 27, 1856	75	Balance.....	.....	.....	62 50	.....	.....	"
April 25, 1856.	51	J. N. Latham.....	50 00	25 00	75 00	.....	.....	102. B.
Mar. 27, 1857.	114	C. B. Smith	20 00	10 00	25 00	5 00	.....	"
"	114	Balance.....	.....	.....	5 00	.....	.....	73. C.
"	113	C. B. Smith	30 00	15 00	45 00	.....	.....	"
Jan. 15, 1861.	1675	King & Wood.....	100 00	4 89	100 00	4 89	.....	103. B.
Jan. 10, 1862.	2273	R. C. Jordan	100 00	.....	100 00	.....	.....	104. B.
Jan. 15, 1861.	1675	Balance.....	.....	.....	4 89	.....	.....	105. B.
Oct. 17, 1831..	2032	A. D. Luce.....	50 00	4 69	54 69	.....	.....	"
Oct. 17, 1860..	1397	R. C. Jordan.....	20 00	4 83	24 83	.....	.....	"
Feb. 2, 1861..	1722	J. Jnthank.....	20 00	3 63	15 59	8 84	.....	"
Feb. 7, 1859..	111	J. A. Steinberger..	35 70	12 45	48 15	.....	.....	106. B.
Feb. 2, 1861..	1722	Balance.....	.....	.....	8 84	.....	.....	"
Jan. 10, 1862.	2228	W. W. Wyman....	10 00	80	10 80	.....	.....	"
"	2227	"	10 00	80	10 80	.....	.....	"
"	2229	"	10 00	80	10 80	.....	.....	"
June 30 1860.	1187	G. W. Deane.....	10 00	2 32	10 61	1 71	.....	"
"	1187	Balance.....	.....	.....	1 71	.....	.....	74. C.
Sept. 19, 1861.	1990	R. C. Jordan.....	10 00	59	10 59	.....	.....	"
Nov. 5, 1860..	1460	J. J. Graves, jr....	10 00	.....	10 00	.....	.....	"
Aug 12, 1861.	1966	W. W. Wyman....	10 00	1 22	11 22	.....	.....	"
"	1963	"	10 00	1 22	11 22	.....	.....	"
"	1957	"	5 00	61	5 26	.....	35	"
Feb. 9, 1860..	823	G. C. Monell.....	78 53	21 39	81 70	68 22	.....	150. B.
Jan. 10 1862.	2270	G. W. Doane.....	50 00	3 75	50 00	8 75	.....	75. C.
"	2269	"	50 00	3 75	50 00	3 75	.....	76. C.
"	2299	Balance.....	.....	.....	8 75	.....	.....	77. C.
"	2270	" .....	.....	.....	3 75	.....	.....	"
Oct. 13, 1859..	198	" .....	.....	.....	24 31	.....	.....	"
Jan. 10 1862.	2274	R. C. Jordan.....	200 00	.....	18 19	.....	181 81	"
April 11, 1859.	128	J. G. Chapman....	893 60	322 68	100 00	1116 28	.....	151. B.
"	128	Balance.....	.....	.....	100 00	1016 28	.....	152. B.
Carried forward.....			\$19,152 22	\$4,563 59	\$22,181 70		\$449 61	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal- ances.	Balances out- standing.	Nos. of Bonds.
		Brought forward.	\$19,152 22	\$4,563 59	\$22,181 70		\$449 61	
April 11, 1859	128	Balance.....			100 00	916 28		153. B.
"	128	"			100 00	816 28		154. B.
"	128	"			100 00	716 28		155. B.
"	128	"			100 00	616 28		156. B.
"	128	"			100 00	516 28		157. B.
"	128	"			100 00	416 28		158. B.
"	128	"			100 00	316 28		159. B.
"	128	"			100 00	216 28		160. B.
"	128	"			100 00	116 23		161. B.
"	128	"			100 00	16 23		162. B.
July 12, 1858.	289	J. G. Chapman....	100 00	43 58	100 00	43 58		163. B.
"	289	Balance.....			43 68			164. B.
April 11, 1859	128	"			16 28			"
Jan. 19, 1860.	644	J. G. Chapman....	50 00	14 19	40 14		24 05	"
Nov. 2, 1861..	2060	E. D. Webster....	90 00	8 72	98 72			165. B.
Dec. 17, 1861.	2113	"	11 00	1 00	1 23	10 72		"
"	2113	Balance.....			10 72			166. B.
Jan. 24, 1861.	1706	E. P. Brewster....	50 00	9 12	59 12			"
Dec. 17, 1860.	2114	E. D. Webster....	30 00	2 76	30 16	2 60		"
"	2114	Balance.....			2 60			167. B.
Jan. 24, 1861.	1708	E. P. Brewster....	25 00	4 56	29 56			"
Jan. 21, 1861.	1702	J. J. Unthank....	18 20	3 33	21 53			"
May 31, 1860.	1064	Stevens & Welch..	10 00	2 47	12 47			"
"	1055	"	10 00	2 41	12 41			"
April 5, 1861..	1790	M. H. Clark.....	10 00	1 61	11 61			"
Oct. 10, 1860..	1392	R. C. Jordan.....	5 00	1 04	6 04			"
June 6, 1861..	1891	A. D. Luce.....	5 00		3 78		1 22	"
March 4, 1858	171	R. A. Howard.....	40 00	18 86	58 85			163. B.
"	173	"	37 00	17 45	41 14	13 31		"
"	163	Balance.....			13 31			169. B.
"	196	C. J. Clark.....	40 00	18 68	48 68			"
May 9, 1857..	144	M. Murphy.....	25 00	13 88	28 01	10 87		"
"	144	Balance.....			10 87			78. C.
"	147	M. Murphy.....	15 00	3 33	23 33			"
April 29, 1857	135	H. C. Anderson....	10 00	5 56	15 56			"
Oct. 19, 1860..	1400	R. C. Jordan.....	6 33	1 18	24		7 27	"
Jan. 26, 1860..	793	L. Richardson....	100 00	28 30	128 30			23. A.
"	792	"	100 00	28 30	128 30			"
"	794	"	100 00	28 30	128 30			"
"	783	O. D. Richardson..	50 00	14 15	64 15			"
"	790	"	50 00	14 15	50 95	13 20		"
"	790	Balance.....			13 20			170. B.
"	798	O. D. Richardson..	50 00	14 15	64 15			"
"	797	"	50 00	14 15	22 65	41 50		"
"	787	Balance.....			41 50			171. B.
"	785	O. D. Richardson..	50 00	14 15	58 50	5 65		"
"	785	Balance.....			5 65			172. B.
"	786	O. D. Richardson..	50 00	14 15	64 15			"
"	784	"	50 00	14 15	30 20	33 95		"
"	784	Balance.....			33 95			173. B.
"	782	O. D. Richardson..	50 00	14 15	64 15			"
"	791	"	50 00	14 15	1 90	62 25		"
"	791	Balance.....			63 25			174. B.
June 19, 1856	60	A. D. Jones.....	92 00	53 00	37 75	107 25		
"	60	Balance.....			100 00	7 25		175. B.
Feb. 9, 1860..	823	"			68 22			176. B.
Carried forward.....			\$20,581 75	\$5,007 57	\$25,099 92		\$482 15	

WARRANTS—Continued.

Date.	No.	Payee.	Principal.	Interest.	Amount bonded.	Bal-ances.	Balances out-standing.	Nos. of Bonds.
		Brought forward.	\$20,581 75	\$5,007 57	\$25,099 92		\$482 15	
Feb. 9, 1860..	822	G. C. Monell.....	50 00	14 02	81 78	82 24	.....	176. B.
"	822	Balance.....			82 24	.....	.....	177. B.
"	821	G. C. Monell.....	50 00	14 02	64 02	.....	.....	"
Jan. 2, 1857..	105	W. W. Wyman....	100 00	57 91	3 74	154 17	.....	"
"	105	Balance.....			13 89	.....	140 28	21. A.
June 19, 1856.	60	"			7 25	.....	.....	178. B.
Feb. 19, 1858.	170	O. F. Lake.....	50 00	22 62	72 62	.....	.....	"
Nov. 19, 1860.	1491	A. D. Luce.....	10 00	2 02	12 02	.....	.....	"
Jan. 10, 1862.	2271	H. M. Judson.....	10 00		8 11	.....	1 89	"
"	2308	John McCormick..	50 00	2 46	52 46	.....	.....	179. B.
"	2309	"	50 00	2 46	47 54	4 92	.....	"
"	2309	Balance.....			4 92	.....	.....	180. B.
"	2310	John McCormick...	50 00	2 46	52 46	.....	.....	"
"	2304	"	20 70	1 02	21 72	.....	.....	"
Dec. 31, 1860.	1658	A. D. Luce.....	91 80		20 90	70 90	.....	"
"	1658	Balance.....			70 90	.....	.....	181. B.
Dec. 12, 1861.	97	W. McLennan.....	10 00	5 78	15 78	.....	.....	"
Jan. 10, 1862.	2803	J. McCormick.....	20 00	98	18 32	.....	7 66	"
TOTAL.....			\$21,144 25	\$5,138 82	\$25,645 59		\$631 98	

STATEMENT NO. 3.

Showing the Numbers and Amount of Bonds issued in lieu of a Bond issued July 1, 1856, to F. R. West—cancelled November 1, 1862.

No. of Bond.	To whom issued.	Amount.
17. A.....	John J. Monell.....	\$500 00
18. A.....	".....	500 00
19. A.....	".....	500 00
20. A.....	Nathaniel B. Smith.....	500 00
107. B.....	John J. Monell.....	100 00
108. B.....	".....	100 00
109. B.....	".....	100 00
110. B.....	".....	100 00
111. B.....	".....	100 00
112. B.....	".....	100 00
113. B.....	".....	100 00
114. B.....	".....	100 00
115. B.....	".....	100 00
116. B.....	".....	100 00
117. B.....	".....	100 00
118. B.....	".....	100 00
119. B.....	".....	100 00
120. B.....	".....	100 00
121. B.....	".....	100 00
122. B.....	".....	100 00
123. B.....	".....	100 00
124. B.....	".....	100 00
125. B.....	".....	100 00
126. B.....	".....	100 00
TOTAL.....		\$4,000 00

STATEMENT NO. 4.

Coupons on F. R. WEST Bond, Cancelled, and New Bonds issued for Principal and Interest. Interest allowed at Ten per cent. after Coupons were due.

No. of Cou- pons.	When due.	Principal of Coupons.	Interest on Coupons.	Amount bonded.	Balances.	No. of Bonds.
3.	Jan. 1, 1858. (Balance.).....	\$174 00	\$ 35 41	\$209 41	.....	21. A.
4.	July 1, 1858.....	300 00	130 00	276 70	\$153 30	"
4.	Balance.....	.....	.....	153 30	.....	22. A.
5.	Jan. 1, 1859.....	300 00	115 00	346 70	68 30	"
5.	Balance.....	.....	.....	68 30	.....	127. B.
6.	July 1, 1859.....	300 00	100 00	31 70	368 30	"
6.	Balance.....	.....	.....	100 00	268 30	128. B.
6.	".....	.....	.....	100 00	168 30	129. B.
6.	".....	.....	.....	100 00	68 30	130. B.
6.	".....	.....	.....	68 30	.....	131. B.
8.	July 1, 1860.....	300 00	70 00	31 70	388 30	"
8.	Balance.....	.....	.....	100 00	238 30	132. B.
8.	".....	.....	.....	100 00	138 30	133. B.
8.	".....	.....	.....	100 00	38 30	134. B.
8.	".....	.....	.....	38 30	.....	135. B.
9.	Jan. 1, 1861.....	300 00	55 00	61 70	293 80	"
9.	Balance.....	.....	.....	100 00	193 80	136. B.
9.	".....	.....	.....	100 00	93 80	137. B.
9.	".....	.....	.....	93 80	.....	138. B.
10.	July 1, 1861.....	300 00	40 00	6 70	383 80	"
10.	Balance.....	.....	.....	100 00	233 80	139. B.
10.	".....	.....	.....	100 00	133 80	140. B.
10.	".....	.....	.....	100 00	33 80	141. B.
10.	".....	.....	.....	33 80	.....	142. B.
11.	Jan. 1, 1862.....	300 00	25 00	66 70	258 30	"
11.	Balance.....	.....	.....	100 00	158 30	143. B.
11.	".....	.....	.....	100 00	58 30	144. B.
11.	".....	.....	.....	58 30	.....	145. B.
12.	July 1, 1862.....	300 00	10 00	41 70	268 30	"
12.	Balance.....	.....	.....	100 00	168 30	146. B.
12.	".....	.....	.....	100 00	68 30	147. B.
12.	".....	.....	.....	68 30	.....	148. B.
13.	Jan. 1, 1863.....	200 00	.....	31 70	168 30	"
13.	Balance.....	.....	.....	100 00	68 30	149. B.
13.	".....	.....	.....	68 30	.....	150. B.
Total.....		\$2,774 00	\$580 41	\$3,354 41		

SUMMARY STATEMENT.

Amount of Bonds issued.....		\$33,000. 00
Warrants Cancelled.....	\$21,144 25	
Interest on same.....	5,183 32	
Total.....	\$26,277. 57.	
Deduct outstanding Balances.....	681 98	
		\$25,645 59
F. R. West Bond Cancelled.....		4,000 00
Principal of Coupons on same.....	\$2,774 00	
Interest on Coupons.....	580 41	
		3,354 41
		\$33,000. 00

THE WEST BOND.

Your committee further find and report, that in pursuance of an act entitled an act to authorize the territorial treasurer to borrow money, approved January 26th, 1856, W. W. Wyman, the then treasurer, issued to F. R. West, on the 1st day of July, 1856, a bond for the sum of four thousand dollars, bearing interest at the rate of fifteen per centum, payable semi-annually, with coupons attached. The law under which this indebtedness was contracted, provided for the payment of interest *annually*, and the contract of the treasurer to pay the interest *semi-annually*, was therefore in plain violation of law.

Your committee further find, that as the result of the payment of semi-annual instead of annual interest, the Territory has paid an excess of interest beyond the amount authorized by law, amounting to the sum of \$60 00, which amount has gone into the bonds issued to Nathaniel B. Smith, in satisfaction of the original West bond and interest.

This sum of \$60 00, should, therefore be deducted from one of said bonds, issued to Smith, and the interest upon the excess from the date of such bond, should also be deducted. The coupons wrongfully issued, bear date January 1st, in each year, from 1856 to 1862, inclusive, making six in all; only four of said coupons are included in the above item of \$60 00, the two remaining coupons, although not bonded, have passed into other forms of indebtedness, and the Territory has become liable for the excess so far as its officers can make it liable, in violation of positive law.

The warrants bonded, as above, together with the West bond, are in the hands of the treasurer of the Territory, the committee deeming it inexpedient to burn or destroy the same; and regarding it as the interest of the Territory to preserve the same, to the end that any irregularities or illegality in the issue of any of such warrants, or the bond in question, may be the more readily detected by the presence of the bond or the warrants themselves.

The new bonds taken up, with the coupons redeemed, are also left with the territorial treasurer, for the reasons above stated.

This investigation has been conducted upon the presumption that the bonds and warrants cancelled by the issuing of the new bonds, have been issued in conformity to law; but whether or not such has been the case, your committee have had no time or opportunity to investigate or determine.

We respectfully suggest to the legislature, the propriety and importance of ordering a full and thorough investigation of this question; whether the outstanding warrants have been issued in pursuance of the provisions of law, and whether the territorial warrants received from the various county treasurers, have been rightfully issued.

O. P. MASON,	}	Council.
W. A. LITTLE,		
F. RENNER,	}	House of Representatives.
L. G. TODD,		

MONDAY, FEBRUARY 15, 1864.

Mr. Porter moved to reconsider the vote by which house file No. 99. A bill for an act to encourage the growth and cultivation of fruit and forest trees, and grape vines in the Territory of Nebraska, was indefinitely postponed.

Pending which, were received the following

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1864. }

Mr. President:

I am instructed to inform you that the house adhere to their disagreement to the amendment proposed by the council to section one, of house file No. 33, a bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska, and the house have appointed as a committee of conference in part of the house—Messrs. Gantt, McLennan and Dorsey.

RIENZI STREETER, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,
February 15, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house have refused to concur in the following amendments to house file No. 119, a bill for an act to provide for elections, to-wit: Amendments proposed by the council to section 21 of the bill; and have concurred in the other amendments proposed by the council to the bill.

Also, that the house have passed

House file No. 130. A bill for an act in relation to roads, and to further define the duties of supervisors.

I herewith return to you council bill No. 24, a bill for an act to incorporate the Nemaha Valley Seminary and Normal Institute.

Council bill No.—. A bill for an act to restrain stock from running at large during the night in Pawnee county—Substitute for house file No. 107—joint resolution.

The same having passed the house without amendment.

Also,

That the house have concurred in the amendments proposed by the council to house file No. 116.

RIENZI STREETER, *Chief Clerk.*

The question recurring upon the motion to reconsider the vote by which house file No. 99, was indefinitely postponed, it was carried.

Mr. Porter moved that the bill be now read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Doom, Jackson, Marquette, McCormick, Porter and Welch—8.

Nays—Messrs. Campbell, Fisher and Mason—3.

Carried.

Bill passed and title agreed to.

Mr. Butler submitted the following report:

Mr. President:

The committee on engrossed and enrolled bills, respectfully report that they have carefully examined and compared council bill No. 39, a bill for an act to incorporate the Platte Valley Bridge Company, and find the same correctly enrolled.

Also,

Council bill No. 51, and council bill No. 66, and council bill No. 34, and council bill No. 6, and find them correctly enrolled.

After procuring the signature of the president of the council, speaker of the house and the chief clerk of the council, presented the same to the governor for his signature, at 11 o'clock, this February 15th, 1854.

D. BUTLER, *Chairman.*

House file No. 152. A bill for an act to restrain stock from running at large during the night in Wyoming, Delaware, McWilliams, Syracuse and Hendricks precincts, in Otoe county, was taken up.

Mr. Mason moved that the bill be read a second time by its title, and referred to a committee consisting of the delegation from Otoe county.

Carried.

Bill so read and referred to Messrs. Mason and Campbell as such committee.

House file No. 151. A bill for an act to provide for the care and custody of insane persons, was taken up.

Read first time.

Mr. Porter moved that the bill be read a second time by its title.

Carried.

Bill so read.

Mr. Mason moved that the council go into a committee of the whole for the consideration of said bill.

Motion withdrawn.

Mr. Mason moved that the council take up house file No. 119. A bill for an act to provide for elections; pending which motion, the council received the following

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA,
February 15, 1864.

Mr. President and Gentlemen of the Council:

I am directed by the governor to inform your honorable body, that he has signed the following bill:

An act to incorporate the Platte Valley Bridge Company.

E. P. BREWSTER, *Private Secretary.*

The question recurring upon the motion to take up and consider house file No. 119, it was carried.

Mr. Mason moved that the council recede from its amendment to section 21 of said bill.

Carried.

Mr. Campbell submitted the following report:

Mr. President:

Your special committee, to whom was referred house file No. 152, having had the same under consideration, would report the bill back to the council and recommend its passage, with the following amendment:

In section first, line seven, strike out the word "and." And after the word "Hendricks" in the eighth line, insert "Camp Creek and Nebraska City."

J. C. CAMPBELL.
O. P. MASON.

Mr. Mason moved that the report of the committee be adopted.

Carried.

Mr. Mason moved that the bill, as amended, be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title amended to correspond with the body of the bill.

House file No. 153. An act supplementary to an act to revise and consolidate the laws of a general nature passed at the second session of the legislative assembly of the Territory of Nebraska, was taken up and

Read first time.

Mr. Little moved that the bill be read a second time by its title, and referred to committee on the judiciary.

Carried.

Bill so read and referred.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1864. }

Mr. President: I am instructed to inform your honorable body, that the house have concurred in the amendment proposed by the council to 24th division of section 5, of house file No. 91, a bill for an act to regulate weights and measures; and adhere to their disagreement to the amendment proposed by the council to the 16th division of section 5, of the bill, and have appointed as a committee of conference on the part of the house—

Messrs. Todd, Newman and Allgewahr.

I herewith return to you,
Council bill No. 45. A bill for an act to repeal an act entitled an act to change and re-define the boundaries of Hall county, approved February 1st, 1864.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

House file No. 136. A bill for an act to incorporate the Nebraska Immigrant Society, was taken up and report on the same considered.

Mr. Little moved that the report be adopted.

Carried.

Mr. Little moved that the bill be read a third time by its title, and put upon its passage.

Carried.

Bill passed and title agreed to.

House file No. 150. Substitute for council bill No. 57. A bill for an act for the protection of sheep, was taken up and

Read first time.

Mr. Little moved that the further consideration of the bill be indefinitely postponed.

Lost.

House file No. 135. Substitute for house files No. 100 and 110. A bill for an act to amend an act entitled an act for the better regulation of schools in Nebraska, approved November 4th, 1858, was taken up and

Read first time.

Mr. Fisher moved that the bill be read a second and third times by its title, and put upon its passage.

Pending which was received the following

MONDAY, FEBRUARY 15, 1864.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1864. }*Mr. President:*

I herewith return to your honorable body, council bill No. 53. A bill for an act in relation to insurance companies, the same having passed the house with certain amendments attached thereto.

RIENZI STREETER, *Chief Clerk.*

The council resuming the consideration of house file No. 155, Mr. Mason moved that it be made the special order for to-morrow.

Carried.

Mr. Mason moved that the committee on engrossed and enrolled bills be authorized to employ such assistance as may be necessary to the proper discharge of the duties of said committee.

Carried.

Mr. Clark moved that the council take a recess for half an hour.

Carried.

Council took a recess at twenty minutes to one o'clock P. M.

COUNCIL CHAMBER,

1 o'clock and 10 minutes. }

Council met pursuant to recess.

President in the chair.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, N. T.,
February 15, 1864. }*Mr. President and Gentlemen of the Council:*

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to authorize the town council of Nebraska City to raise money to erect a central or high school building.

An act in relation to the indebtedness of Dakota and Cedar counties, and to determine the amount thereof.

E. P. BREWSTER, *Private Secretary.*

Council bill No. 53. A bill for an act in relation to insurance companies, was taken up.

Mr. Little moved that the council concur in the amendments proposed by the house to said bill.

Carried.

House file No. 33. A bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska, was taken up.

Mr. Mason moved that a committee of conference be appointed by the chair to act with a like committee on the part of the house, upon the questions of disagreement between the two houses.

Carried.

The chair appointed Messrs. Mason and McCormick said committee.

House file No. 91. A bill to regulate weights and measures, was taken up.

Mr. Little moved that the council adhere to its amendment to the sixteenth division of section five of said bill.

Carried.

Council bill No. 60. A bill for an act to amend an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds.

Mr. Little moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

Council bill No. 56. A bill for an act making appropriations for the expenses of the territorial government, for the year 1864, and for the payment of certain claims against the Territory, was taken up, and pending its consideration, the council received the following

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1864.

Mr. President:

I herewith return to your honorable body, council bill No. 52. A bill for an act to define the duties of territorial auditor and school commissioner and territorial treasurer, the same having passed the house with certain amendments attached thereto.

Also,

Council bill No. 54. A bill for an act concerning the acknowledgment of deeds in foreign countries, and relating to the acknowledgment of deeds executed out of the Territory of Nebraska, the same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Upon resuming the consideration of council bill No. 56, a bill making appropriations, &c.,

Mr. Doom moved that the bill be read a third time by its title and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Mason submitted the following report:

Mr. President:

A majority of the committee of conference on house file No. 33, a bill for an act entitled an act to provide for the enumeration of the residents within the Territory of Nebraska, consisting of Messrs. Mason and McCormick, on the part of the council, and Messrs. Gantt, Dorsey and McLennan, on the part of the house, have met, and have been unable to ascertain any reason why the house refused to concur in the amendment of the council. And a majority of your committee of conference, consisting of Messrs. McCormick and Mason of the council, and Mr. Gantt on behalf of the house, have agreed upon the recommendation that the council continue to insist upon the amendment offered by the council; and Mr. Gantt, on behalf of the house, was instructed to communicate the results of the deliberations of your committee to the house.

O. P. MASON,
JOHN MCCORMICK.

Mr. Little moved that the report be adopted.
Carried.

Mr. Mason moved that the report of the special committee, appointed to examine and ascertain if the law providing for the funding of the territorial indebtedness had been complied with, be adopted.

Carried.

House file No. 147. A bill for an act to amend an act to regulate ferries, approved November 4, 1862.

Mr. Mason moved that said bill be made the special order for Wednesday next.

Carried.

House file No. 145. A bill for an act supplemental to an act to incorporate the City of Brownville.

Mr. Marquette moved that said bill be read a third time by its title, and put upon its passage.

Carried.

Ayes and nays demanded upon the passage of the bill.

Ayes—Messrs. Butler, Campbell, Clark, Doom, Fisher, Marquette, McCormick, Porter and Welch—9.

Nays—Messrs. Little and Mason—2.

Bill passed and title agreed to.

Council bill No. 52. A bill for an act to define the duties of territorial auditor and school commissioner, and territorial treasurer, was taken up and house amendments considered.

Mr. Clark moved that the council concur in the amendments to said bill.

Carried.

Mr. Marquette, by leave, submitted the following report:

Mr. President:

Your committee on the judiciary, to whom was referred house file No. 5, a bill for an act to authorize garnishment in certain cases, having had the same under consideration, beg leave to report the same back to the council with the following amendments:

Add, as section 5, the following: In cases where the garnishee in answering such interrogatories, shall disclose that he has property in his possession or under his control belonging to the defendant or defendants in execution, the court shall order the same to be taken and sold by the officers, upon execution, as in other cases.

Sec. 6. In cases where the garnishee, in answering such interrogatories, shall disclose that he is indebted to the defendant in execution, the court shall order the garnishee to pay over the amount found to be due from the said garnishee to the defendant in execution, which amount shall be paid to the officer holding the execution, and in default thereof, the same shall be collected by execution, as in other cases, as near as may be, and such amount, when paid or collected, shall be credited on the original judgment, and the garnishee shall be credited for the amount so paid or collected.

All of which is respectfully submitted.

T. M. MARQUETTE.
W. A. LITTLE.

Call of the house demanded.

Absent—Messrs. Butler and Jackson.

Mr. Doom moved that the sergeant-at-arms be dispatched after absentees.

Carried.

Mr. Campbell moved that all further proceedings under the call be dispensed with.

Lost.

Mr. Mason moved that all further proceedings under the call be dispensed with.

Carried.

Council bill No. 62. A bill for an act to amend section 2 of an act entitled an act to apportion members of the house of representatives, approved February 1, 1864, and section 14 of an act to apportion councilman districts, approved February 4, 1864, was taken up.

Mr. Mason moved that the bill be read a third time and put upon its passage.

Lost.

House file No. 146. A bill for an act to regulate marriages, was taken up.

Mr. Mason moved that the council go into committee of the whole upon said bill.

Carried.

The council accordingly resolved itself into committee of the whole.

Mr. Mason in the chair.

The committee having been in session some time, rose, and through the chairman submitted the following report:

Mr. President:

The committee of the whole having had under consideration house file No. 146, a bill for an act to regulate marriages, have instructed me to report the same back and recommend that the bill be indefinitely postponed.

O. P. MASON, *Chairman.*

Mr. Porter moved that the report be adopted.

Carried.

House file No. 143. A bill for an act to locate a territorial road from Bellevue, in Sarpy county, to Elkhorn, in Douglas county.

Mr. Clark moved that the bill be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Little moved that the council take a recess for fifteen minutes.

Carried.

The council took a recess at 4 o'clock P. M.

COUNCIL CHAMBER, }
4 o'clock and 15 minutes. }

Council met pursuant to recess.

President in the chair.

House file No. 129. Substitute for house file No. 101. A bill for an act to regulate the adoption of children, was taken up.

Call of the house demanded.

Absent—Messrs. Clark, Fisher, Jackson, Mason and McCormick.

Mr. Little moved that the sergeant-at-arms be dispatched after absentees.

Carried.

Mr. Mason moved that all further proceedings under the call be dispensed with.

Carried.

Pending the motion to read the bill a third time, the following

MESSAGES FROM THE HOUSE

were received:

HOUSE OF REPRESENTATIVES, }
February 15, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house have concurred in the amendments proposed by the council to house file No. 152. A bill for an act to restrain stock from running at large

during the night, in Delaware, McWilliams, Syracuse and Hendricks precincts, in Otoe county, Nebraska Territory.

Also, that the house have concurred in the amendments proposed by the council to house file No. 136. A bill for an act to incorporate the Nebraska Immigrant Society.

Also, that the house have passed house file No. 134. A bill for an act in relation to repealed laws, and for other purposes.

Also, joint resolution for the relief of John L. O'Toole and L. S. Peck. And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*

HOUSE OF REPRESENTATIVES,
February 15, 1864. }

Mr. President:

I herewith return to your honorable body, council bill No. 65. A bill for an act to define the duties of the adjutant-general of the Territory of Nebraska, the same having passed the house without amendment.

Also,

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses, the same having passed the house with certain amendments attached thereto.

RIENZI STREETER, *Chief Clerk.*

By common consent, house file No. 155, a bill for an act to revise and consolidate the laws of a general nature, passed at the second session of the legislative assembly of this Territory, was taken up, read first, second and third times, and put upon its passage.

Bill passed and title agreed to.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, N. T.,
February 15, 1864. }

Mr. President and Gentlemen of the Council:

I am directed by the governor to inform your honorable body, that the house has signed and approved the following bills:

An act to create and regulate incorporations in the Territory of Nebraska.

An act to incorporate All-Soul's College.

An act to incorporate the Nemaha Valley Seminary and Normal Institute.

An act to repeal an act entitled an act to change and re-define the boundaries of Hall county, approved February 1st, 1864.

E. P. BREWSTER, *Private Secretary.*

The council resuming the consideration of house file No. 129, a bill for an act to regulate the adoption of children.

Mr. Little moved that the bill be recommitted to a select committee of three.

Lost.

Mr. Porter moved to take a recess for one hour.

Lost.

Question recurring upon the motion to read the bill a third time, it was carried.

Bill read a third time by its title, and put upon its passage.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Jackson, Little, Mason and Porter—5.

Carried.

Bill passed and title agreed to.

House file No. 5. A bill for an act to authorize garnishment in certain cases, was taken up.

Mr. Marquette moved that the report of the committee on said bill, be adopted.

Carried.

Mr. Little moved that the bill be read a third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Marquette moved that the council take a recess for one hour and a half.

Carried.

And the council took a recess at fifteen minutes to six o'clock P. M.

COUNCIL CHAMBER,

7 o'clock and 15 minutes. }

Council met pursuant to recess.

President in the chair.

House file No. 130. A bill for an act in relation to roads, and to further define the duties of supervisors.

Read first time.

Mr. Marquette moved that the bill be read a second and third time by its title.

Mr. Little moved to amend by making the bill a special order for Wednesday next.

Carried.

Mr. Butler offered joint resolution for the payment of extra enrolling clerks.

Mr. Little moved that the resolution be read a first, second and third time, and put upon its passage.

Carried.

Resolution so read and passed.

Joint resolution relative to the state of the Union.

Mr. Butler moved that it be read a third time and put upon its passage.

Mr. Little moved it be referred to committee on agriculture.

Ayes and nays demanded upon the motion to refer.

Ayes—Messrs. Campbell, Fisher, Jackson, Little and Porter—5.

Nays—Messrs. Butler, Clark, Doom, Marquette, McCormick and Welch—6.

Lost.

Call of the house demanded.

Absent—Mr. Mason.

Mr. Marquette moved that all further proceedings under the call be dispensed with.

Carried.

The question being taken upon the passage of the resolution, it was carried.

Passed and title agreed to.

House file No. 134. An act in relation to repealing laws, and for other purposes.

Read a first time.

Mr. Porter moved that the bill be laid upon the table.

Lost.

Mr. Butler moved the bill be read a second and third time and put upon its passage.

Mr. Mason moved that the bill be made the special order for Saturday next.

Carried.

Joint resolution for the relief of John O'Toole and L. S. Peck.

Mr. Mason moved that the resolution be indefinitely postponed.

Carried.

Mr. Fisher, by leave, introduced council bill No. 67. A bill for a herd law in Nemaha county.

Council bill No. 28. A bill for act to amend section 310 of the code of civil procedure and in relation to the competency of witnesses.

Mr. Mason moved that the council concur in the first amendment proposed by the house to said bill.

Carried.

MONDAY, FEBRUARY 15, 1864.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA, N. T.,
February 15, 1864.*Mr. President and Gentlemen of the Council:*

I am directed by the governor to inform your honorable body, that he has signed and approved the following bills:

An act to restrain stock from running at large, during the night, in Pawnee county.

A resolution approving the President's emancipation and amnesty proclamation.

An act to attach the north half of Clay county to the county of Lancaster, and the south half of Clay county to the county of Gage.

An act to provide for the payment of services rendered in opening books of territorial treasurer's office.

An act to define the duties of the adjutant-general of the Territory of Nebraska.

An act to define the duties of territorial auditor and treasurer.

An act making an appropriation for the expenses of the territorial government for the year 1864, and for the payment of certain claims against the Territory.

An act to enable the militia and volunteers of this Territory, when in the military service of the United States, to vote.

E. P. BREWSTER, *Private Secretary.*

Mr. Butler moved that the council concur in the second amendment proposed by the house to council bill No. 28.

Lost.

Mr. Mason moved that the council do not agree to said amendment to said bill.

Carried.

Mr. Marquette moved that the council concur in the third amendment proposed by the house to said bill.

Carried.

Council bill No. 67. A bill for a herd law in Nemaha county.

Mr. Mason moved the bill be read a first, second and third time, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Marquette offered the following resolution:

Resolved, That the members of this council hereby tender to the Hon. E. A. Allen, their sincere thanks for the able and impartial manner with which he has discharged the duties of president of this council, during the present session; and for his gentlemanly deportment toward the members thereof.

Adopted unanimously.

Mr. Marquette offered the following resolutions which were unanimously adopted :

Resolved, That we hereby tender to the Rev. W. F. Dimmock, our sincere and hearty thanks for the able manner in which he has performed the duties of chaplain of this council during the present session of the legislative assembly.

Resolved, That we hereby endorse and cordially approve of the official conduct of the Hon. A. Saunders, governor of the Territory, for the able manner in which he has performed his duties as executive of this Territory, during the present session of the legislature; and for his courteous and gentlemanly treatment of the members thereof—and that we hereby endorse him as an able and efficient officer.

Mr. Mason offered the following resolution which was also adopted :

Resolved, That the thanks of this council are due, and are hereby tendered to Hon. John Taffe, chief clerk of the council, for the faithful and satisfactory manner in which he has discharged the important and onerous duties of that position.

Mr. Butler offered the following resolution :

Resolved, That the thanks of this council are due to John H. Mann, as assistant clerk of the council, for his close attention to business, and for the able manner in which he has discharged his arduous duties.

Adopted unanimously.

Mr. Marquette offered the following resolution which was also adopted, unanimously :

Resolved, That the thanks of the members of the council are due, and are hereby tendered to the Hon. A. S. Paddock, secretary of the Territory, for the faithful manner in which he has performed his arduous duties, during the present session, and for his gentlemanly treatment of the members thereof.

Mr. Mason moved that house file No. 75. A bill for an act to regulate salaries and fees of certain officers of the Territory of Nebraska, and

House file No. 112. A bill for an act to repeal sections 20 and 21, of an act entitled an act to regulate enclosures and partition fences, be made the special order for the 4th day of July next.

Carried.

Mr. Porter moved that the report of the committee on house file No. 140, substitute for house file No. 63, an act for bonding the scrip of the city of Omaha, be adopted.

Carried.

Mr. ——— moved that the bill, as amended, be read a third time and put upon its passage.

Carried.

Bill passed and title agreed to.

MONDAY, FEBRUARY 15, 1864.

MESSAGES FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,
February 15, 1864. }*Mr. President:*

I herewith return to your honorable body,

Council bill No. 56. A bill for an act making appropriations for the expenses of the territorial government for the year 1864, and for the payment of certain claims against the Territory.

The same having passed the house without amendment.

I am also instructed to inform your honorable body, that the house have passed

House file No. 155. A bill for an act to revise and consolidate the laws of a general nature passed at the second session of the legislative assembly of this Territory.

And the concurrence of the council is respectfully requested.

RIENZI STREETER, *Chief Clerk.*HOUSE OF REPRESENTATIVES,
February 15, 1864. }*Mr. President:*

I am instructed to inform your honorable body, that the house adhere to their amendment to council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses, to-wit:

Amendments to section 20, line 20 of the bill.

RIENZI STREETER, *Chief Clerk.*HOUSE OF REPRESENTATIVES,
February 15, 1864. }*Mr. President:*

I am instructed to inform your honorable body, that the house have receded from their disagreement to the amendment proposed by the council to house file No. 91. A bill for an act to regulate weights and measures, and have concurred in the amendment proposed by the council to the 16th division of section 5, of the bill.

Also,

That the house have passed a joint resolution for the payment of extra enrolling clerks.

The same having passed the house without amendment.

RIENZI STREETER, *Chief Clerk.*

Council bill No. 28. A bill for an act to amend section 310 of the code of civil procedure, and in relation to the competency of witnesses, was taken up.

Mr. Porter moved that a committee of conference be appointed to

act with a like committee on the part of the house, upon pending amendments proposed by the house to said bill.

Lost.

Mr. Marquette moved that the council recede from its amendment to said amendments.

Carried.

Mr. Little introduced council bill No. 68. Joint resolution for the relief of James S. Gibson.

Mr. Mason moved that the joint resolution be read first, second and third times, and put upon its passage.

Carried.

Bill passed and title agreed to.

Mr. Mason moved that the council take a recess for one half hour.

Carried.

The council accordingly took recess at ten minutes to 10 o'clock P. M.

COUNCIL CHAMBER,

10 o'clock—20 minutes P. M. }

Council met pursuant to recess.

President in the chair.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

February 15, 1864. }

Mr. President:

I am instructed to inform your honorable body, that the house has passed joint resolution, and the concurrence of the council is requested therein.

I herewith return council bill No. 60. A bill for an act to amend an act entitled an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds.

The same having passed the house without amendment.

Also,

Joint resolution for the relief of James S. Gibson.

The same having passed the house without amendment.

RIENZI STREETER, Chief Clerk.

The following joint resolution from the house, was taken up.

Resolved by the Council and House of Representatives of the Territory of Nebraska, That the ninth session of the legislative assembly of the Territory of Nebraska, will adjourn, *sine die*, at 12 o'clock to-night.

Read first time.

Mr. Mason moved that the council concur in the joint resolution.

Lost.

Mr. Porter moved that a committee be appointed to wait upon the governor and ascertain if he had any further communications for the council.

Carried.

Messrs. Porter, Welch and Doom were appointed said committee.

Council bill No. 17. A bill for an act to provide for the relief of the families of Nebraska soldiers in the service of the United States.

Mr. Doom moved that the council concur in the amendments proposed by the house to said bill.

Pending which was received the following

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE, OMAHA,
February 15, 1864. }

Mr. President and Gentlemen of the Council:

I am directed to inform your honorable body that the governor has signed and approved the following bills:

An act to revise an act to provide for the valuation and assessment of the real and personal property, and for the levying and collection of taxes in the Territory of Nebraska, approved January 11th, 1861.

An act to encourage the introduction and raising of sheep in Nebraska.

An act in relation to insurance companies.

Joint resolution for the payment of extra clerks employed by the chairman of committee on engrossed and enrolled bills.

Joint resolution for the relief of James S. Gibson.

An act to amend an act entitled an act to prevent overdrawing public funds in counties, and to compel county commissioners to give bonds.

E. P. BREWSTER, *Private Secretary.*

Mr. Welch moved the previous question on the pending motion to concur in the house amendments to council bill No. 17, now under consideration, when the following message from the governor was received:

EXECUTIVE OFFICE, OMAHA,
February 15, 1864. }

Mr. President and Gentlemen of the Council:

I am directed by the governor to inform your honorable body, that he has signed and approved the following bill:

An act to amend section three hundred and ten (310,) of the code of civil procedure, and in relation to the competency of witnesses.

E. P. BREWSTER, *Private Secretary.*

The question recurring upon the motion for the previous question, and discussion arising, the chair decided that the motion was not debatable.

Mr. Mason appealed from the decision of the chair.

The question was accordingly taken:

"Shall the decision of the chair stand as the judgment of the house?"

Carried, and chair sustained.

The question being then taken as to whether the main question should be now put, the ayes and nays were demanded.

Ayes—Messrs. Butler, Clark, Doom, Fisher, Marquette, Mason, Porter and Welch—8.

Nays—Messrs. Campbell and Little—2.

Carried.

Mr. Mason moved to reconsider the vote by which the main question was ordered.

Mr. Marquette moved to lay that motion upon the table.

Ayes and nays demanded.

Ayes—Messrs. Butler, Clark, Doom, Little, Marquette, McCormick and Welch—7.

Nays—Messrs. Campbell, Fisher, Jackson, Mason and Porter—5.

The main question being put upon the motion to concur in the amendments proposed by the house to the bill, it was carried.

Mr. Little moved to reconsider the vote by which the council concurred in the amendments proposed by the house to said bill.

Pending which the president decided that the term of the ninth session of the legislative assembly had expired by limitation, it being then 12 o'clock, and declared the council adjourn *sine die*.

The council adjourned accordingly.

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